Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012

Agenda Item - F

Title: Resolution No. 2012-12 Adding the Town of Edgewood as a New Member of the NCRTD

Prepared By: Anthony J. Mortillaro, Executive Director

Summary: At the December 2, 2011 meeting the Board of Directors requested that the Executive Director and Chair send informational letters regarding membership in the NCRTD to all eligible non-member entities. Based upon those letters several inquiries were received from the Village of Questa and the Town of Edgewood. Based upon discussion with the Town of Edgewood representative, the Town conducted a public hearing and adopted Town of Edgewood Resolution No. 2012-11 indicating the Town Council's intent to join to the District.

The District currently provides a route that services the Town of Edgewood and departs at 5:55 A.M... This service originates in Edgewood and stops in Moriarty, Stanley, Galisteo, St. Vincent Hospital, PERA, South Capital RR Station, NMED District 2 and Santa Fe County Detention Center. The service then makes a return trip at 4:30 p.m. and picks up passengers at the same locations. The yearly estimated cost for this service is approximately $98,041per the allocation method.

Background: In August 2010 membership interest was expressed by the Village of Chama. At that time the Board discussed this matter and directed the staff to submit to the Mayor of Chama a letter requesting additional information that the Board could use to ascertain the Village's interest. Based upon discussions with the NCRTD Staff a response was not received to the letter (see attached letter and minutes from the August Board meeting). However, in 2011the Mayor of Chama at an Eight Northern Pueblo's Regional Planning Organization meeting brought up the topic of membership again.

On November 9, 2011 a meeting took place with Nambe Governor Ernest Mirabal and Carol Woods, Tribal Administrator. At this meeting Governor Mirabal expressed interest in the Nambe Tribe becoming a member of the NCRTD. The discussions at the meeting focused on the Nambe Pueblo's interest in having transit services for their members, benefits of being a NCRTD member, proximity of existing services and possible adjustment of the Pojoaque Route to provide some limited adjacent service to the Pueblo at the entrance to NP 101 and the provision of information that the Pueblo can distribute to their members regarding NCRTD services. In addition the Nambe representatives expressed concern that they and two other pueblos (Taos and Picuris) were not being included in the District. Staff informed the Nambe representatives that contact had been made in the past with the Nambe Pueblo and Taos Pueblo. Information as to whether the District staff had reached out to Picuris is not available. In addition, Staff agreed to contact Taos and Picuris to inform them of the District services.

At the Boards December 2011 meeting, the Board based upon the aforementioned information directed the Executive Director and Chair to send an information letter to all qualified non-members regarding future membership in the District.

The Board Bylaws, Intergovernmental Contract and State Statue are vague as to the process or solicitation of information for membership into the District. The basic requirements for adding members are:

1.) Public hearing by the proposed member.

2.) Public hearing by the Board.

3.) An affirmative vote by two thirds (2/3) of the voting units of the Board of Directors (IGC) and two thirds of the directors (NMSA 1978, Section 73-25-6 (C).

4.) Execution of a new amended IGC based on the vote.

Recommended Action: It is recommended that the Board adopt Resolution No. 2012-12 adding the Town of Edgewood as a member. In addition execution of a new amended Intergovernmental Contract will be required along with a modification of the weighted vote analysis.

It would be helpful to gain additional information regarding the Town of Edgewood's interest in joining the District, if the Town would also provide the information listed below. Requesting this information will allow the Staff and Board to assess the impact of additional membership upon operating and administrative costs if any. In addition it would insure consistency in the type of information that will be requested of all entities seeking District membership. That information is as follows:

1. Existing local service plan for Transit Services in or around the Governmental Unit if any; and

2. Proposal for disposition of any facilities, real property, transit vehicles, transit system signs or other transit related property of the applicant specifically stating

whether the property is to be retained by the applicant or conveyed to the NCRTD; and

3. Any information or maps identifying existing routes, services or facilities currently provided by or within the Governmental Unit; and

4. Any information regarding existing grants, taxes, and other revenues which the applicant has either sought, obtained or possesses that in any way relates to Transit Services and what if any portion of said revenues could be dedicated to NCRTD uses; and

5. Any documents indicating what new or additional services the applicant intends to seek from the NCRTD along with a cost estimate of the services or in the alternative, a representation that no new or additional services shall be sought and for what period.

Options/Alternatives:

1. Adopt the resolution as presented accepting the Town of Edgewood as a new member; or
2. Request that the Town of Edgewood present additional information as requested above and then consider the resolution at the July 6, 2012 Board meeting; or
3. Take no action on the resolution and the Town of Edgewood's request.

Fiscal Impact: Unknown until a service plan and additional information from the entity requesting service is provided.

Attachments:
Resolution No. 2012-12
Voting Strengths Analysis
Town of Edgewood Letter and Adopted Resolution
Chama Village Letter
Minutes from August 10, 2010 meeting
Membership section of the Bylaws, Intergovernmental Contract and State Statue
Minutes from December 2, 2011 meeting

North Central Regional Transit District (NCRTD)

Resolution 2012-12

ALLOWING THE TOWN OF EDGEWOOD TO JOIN AS A MEMBER OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT (NCRTD)

WHEREAS, the NCRTD was created through legislative enactment (chapter 65, signed March 21, 2003); and,

WHEREAS, the NCRTD is a sub-division of the State of New Mexico; and,

WHEREAS, the NCRTD was approved and certified by the New Mexico Department of Transportation Commission September 14, 2004; and,

WHEREAS, the Town of Edgewood adopted Town Resolution No. 2012-11 showing the Town Council's intent to join the District on April 18, 2012; and,

WHEREAS, in order to create a truly effective and efficient regional transit system that cooperatively and equitably serves north central New Mexico, the NCRTD believes that the Town of Edgewood should be a member of the District.

NOW THEREFORE BE IT RESOLVED by the NCRTD that the Board of Directors accepts and approved the Town of Edgewood's request to join the District.

PASSED, APPROVED, AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 1st DAY OF June, 2012.

_____

Daniel Barrone, Chairman

Approved as to form:

_____

Peter Dwyer, Counsel

VOTING STRENGTH ANALYSIS – 2010 Census Update - April 2, 2012 with addition of Edgewood (6/1/12)

FINAL ANALYSIS – 5/10/20/40/80 THRESHHOLDS						
Member	**Population**[1]	**Population % of Total**	**Member Unit**	**Population Units**[2]	**Total Voting Units**	**Voting Units % of Total**
Española City	10,244	4.35	1	2	3	10.03
Los Alamos County	17,950	7.63	1	2	3	10.30
Taos County	32,937	14.00	1	3	4	13.338
Pojoaque Pueblo	367	0.16	1	0	1	3.334
Río Arriba County	25,611	10.23	1	3	4	13.338
San Ildefonso Pueblo	672	.29	1	0	1	3.334
Ohkay Owingeh Pueblo	2,791	1.2	1	0	1	3.334
Santa Clara Pueblo	3,132	1.33	1	0	1	3.334
Santa Fe City	67,947	28.9	1	4	5	16.6717.2
Santa Fe County	74,74971,374	31.730.3	1	4	5	17.216.67
Tesuque Pueblo	435	.18	1	0	1	3.334
Edgewood	3,375	1.4	1	0	1	3.33
TOTAL	**235,303**	**99.97**	**1112**	**18**	**2930**	**99.986**

TOTAL MEMBERS…1112
TOTAL VOTING UNITS…2930
QUORUM REQUIREMENTS….6 7 Members AND 15 16 Voting Units

SIMPLE MAJORITY VOTE…..15 16 Voting Units
TWO-THIRDS VOTE…… 19 20 Voting Units

[1] Population estimates were extracted from 2010 United States Census data.

[2] Voting Units are awarded in the following manner: All Members receive one (1) vote by virtue of being a Member. Members receive one (1) additional vote for population between 5000 and 9,999; an additional vote for population between 10,000 and 19,999; an additional vote for population between 20,000 and 39,999; an additional vote for population between 40,000 and 79,999; an additional vote for population equal to or greater than 80,000.

TOWN OF EDGEWOOD

Where the Mountains Meet the Plains
1911 Historic Route 66
P.O. Box 3610
Edgewood, NM 87015
Phone: (505) 286-4518 Fax (505) 286-4519
www.edgewood-nm.gov

RECEIVED
MAY - 3 2012
By

May 1, 2012

Anthony J. Mortillaro, Executive Director
NCRTD Office
3600 Rodeo Lane Suite B-6
Santa Fe, NM 87507

Dear Mr. Mortillaro,

The Town of Edgewood is looking forward to becoming a member of the North Central Regional Transit District (NCRTD). Enclosed you will find Resolution No. 2012-11 passed and adopted on the 18th of April, 2012 showing the Town Council's intent to join.

We look forward to hearing from the NCRTD about the next steps in the process and I thank you for your assistance.

Sincerely,

Karen Mahalick
Administrator/Planner

Brad Hill
Mayor

John Abrams
Sherry Abraham
Chuck Ring
Rita Loy Simmons
Town Councilors

Wm. H. White
Municipal Judge

Karen Mahalick, AICP
Administrator/Planner

Jay Daniels
Chief of Police

Estefanie Muller
Clerk-Treasurer

Vicki Murphy
Animal Control
Program Manager

TOWN OF EDGEWOOD
RESOLUTION No. 2012-11

RESOLUTION TO JOIN THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT AS A VOTING MEMBER OF THE DISTRICT AND PARTICIPATE IN THE AFFAIRS OF THE DISTRICT

WHEREAS, the purpose of the North Central Regional Transit District (the "District") is to serve the residents within District boundaries by providing for the creation of the Regional Transit District; provide a choice of transportation alternatives for goods, services, jobs, and activities of the community; and finance, plan, construct, operate, maintain and promote a regional public transit system.

WHEREAS, the Legislature of the State of New Mexico has passed legislation and the Governor has signed into law, the "Regional Transit District Act;" and

WHEREAS, public transportation is a critical component of multimodal transportation systems; and

WHEREAS, statewide, multimodal transportation systems improve access to education and jobs and provide a foundation for New Mexico's economic prosperity; and

WHEREAS, expanded public transit services help rural and urban New Mexico optimize available regional services; and

WHEREAS, a statewide connection of regional transit district would improve local and state connections; and

WHEREAS, regional public transit would enable increased federal investment in New Mexico; and

WHEREAS, multi-jurisdictional transportation systems would protect our environment and enhance energy efficiency, decrease congestion, decrease automobile accidents, reduce noise and air pollution and improve public health; and

WHEREAS, coordinated regional public transportation would help sustain New Mexico's cultural diversity; and

WHEREAS, regional transit districts function to coordinate public transit services and connects all forms of existing and proposed transportation services provided by different levels of government and various jurisdictions; and

WHEREAS, improved public transportation services in New Mexico would extend the life of existing roads, highways, and regional transit services, and protect current and future investment in the region's transportation infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD THAT:

Section 1. The Town of Edgewood shall join the North Central Regional Transit District as a voting member of the District, and participate in the affairs of the District by appointing a representative, and a designee to the Board of Directors.

Section 2. The Town of Edgewood approves the Intergovernmental Agreement establishing the District, and any other relevant documents affecting the legal status of the District, and directs staff to actively work toward establishing funding for the said District in order to deliver ongoing regional public transportation services.

PASSED AND ADOPTED this **18TH** day **of April, 2012.**

Brad Hill, Mayor

ATTEST:

Estefanie Muller, CMC, Clerk Treasurer

August 25, 2010

The Honorable Archie Vigil
P.O. Box 794
Chama, NM 87520

Dear Mayor:

Thank you for your continued interest in being a member of the North Central Regional Transit District. The board is currently updating the Inter-governmental Contract that addresses new membership. While the board proceeds with the process we would respectfully request the following items to be submitted to my office for consideration to the board for membership:

(a) Records showing whether the applicant has held at least one public hearing on any proposal to join the NCRTD in accordance with Section 73-25-4 of the Act and whether the applicant has met all requirements for public notice of said meeting; and

(b) A written application or letter requesting membership following the public hearing; and

(c) The minutes of the public hearing; and

(d) Existing local service plan for Transit Services in or around the Governmental Unit; and

(e) Proposal for disposition of any facilities, real property, transit vehicles, transit system signs or other transit related property of the applicant specifically stating whether the property is to be retained by the applicant or conveyed to the NCRTD; and

(f) Any information or maps identifying existing routes, services or facilities currently provided by or within the Governmental Unit; and

Rosemary Romero
Chair

Josette P. Lucero
Executive Director

Governmental
Board of Directors

City of Espanola

City of Santa Fe

County of Rio Arriba

County of Santa Fe

County of Los Alamos

County of Taos

Ohkay Owingeh

Pueblo of Santa Clara

Pueblo of Pojoaque

Pueblo of Tesuque

Pueblo of San Ildefonso

(g) Any information regarding existing grants, taxes, and other revenues which the applicant has either sought, obtained or possesses that in any way relates to Transit Services and what if any portion of said revenues shall be dedicated to NCRTD uses.

(h) Any documents indicating what new or additional services the applicant intends to seek from the NCRTD along with a cost estimate of the services or in the alternative, a representation that no new or additional services shall be sought and for what period; and

(i) A concise statement as to why membership on the Board would substantially advance the public interests in regional transit.

If you should have any questions regarding this information that has been requested, please feel free to contact me at 505-438-3257. We look forward to continue to provide transit services to the Village of Chama.

Sincerely,

Josette Lucero, Executive Director
North Central Regional Transit District

Cc Rosemary Romero, NCRTD Chair

North Central Regional Transit District
Board Meeting
Friday, August 20, 2010

1. CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date at approximately 9:00 a.m. by Chair Rosemary Romero at the New Mexico Association of Counties, 613 Old Santa Fe Trail, Santa Fe, New Mexico.

a. Pledge of Allegiance

b. Moment of Silence

c. Roll Call

Roll call indicated the presence of a quorum as follows:

Members Present:

Los Alamos County	Mr. Tony Mortillaro
City of Espanola	Councilor Robert J. Seeds
Rio Arriba County	Commissioner Elias Coriz
Ohkay Owingeh	Ms. Kateri Keevama
City of Santa Fe	Councilor Rosemary Romero, Mr. Jon Bulthuis
Santa Fe County	Ms. Penny Ellis-Green
Tesuque Pueblo	Mr. Larry Samuel
Taos County	Mr. Jacob Caldwell [telephonically]

Members Absent

Pojoaque Pueblo
San Ildefonso Pueblo
Santa Clara Pueblo

Staff Members Present

Ms. Josette Lucero, Executive Director
Mr. Jack Valencia, Transit Project Manager
Ms. Cynthia Halfar, Executive Assistant
Mr. Mark Basham, Counsel for NCRTD

Others Present
Mr. Andrew Jandáček, Santa Fe County
Mr. Greg White, NMDOT
Mr. Mitch Davenport, Facilities Manager

d. Introductions

Those present introduced themselves.

e. Approval of Agenda

Commissioner Coriz moved to approve the agenda as presented. Councilor Seeds seconded the motion and it passed by unanimous voice vote.

f. Approval of Board Meeting Minutes, July 30, 2010

Ms. Ellis-Green moved to approve the minutes of the July 30, 2010 Board meeting as presented. Chair Romero seconded the motion and it passed by unanimous voice vote.

g. Public Comments Regarding Transportation Items or Issues

There were no public comments.

2. ACTION ITEMS:

a. Approval of Resolution 2010-07 (Tabled 7/3/2010): Award of Bid for the Construction of the Jim West Transit Center

Ms. Lucero noted the resolution was in the packet that was presented at the last meeting. On July 30th they received a bid protest from the bid opening. There was plenty of discussion on July 30th. The Board asked staff to do the due diligence and bring a recommendation at this meeting. The bid protest was from DB Construction out of Albuquerque, protesting was on the other two companies' subcontractors.

So staff and Mr. Davenport did due diligence; made site visits to the companies and got all the information they could on it. The recommend today was to award the contract to R&M Construction. If approved, they could move forward.

Mr. Mortillaro noted that this resolution would make the award and asked if they had an award amount.

Mr. Basham said they knew what their bid was and what the budget was but the intent was to try to negotiate for a lower amount.

Mr. Mortillaro asked if the resolution could have a not to exceed number.

Ms. Lucero said that would be $1,183,465.

Mr. Mortillaro asked if that included GRT. He thought it was that amount plus GRT. Ms. Lucero agreed.

Mr. Valencia didn't have the amount but thought they could say not to exceed $1.3 million.

Chair Romero agreed.

Councilor Seeds was concerned since this company was not the lowest bidder and the Board needed to cover itself on that issue.

Chair Romero explained that this bidder met all the requirements. The lowest bidder had an unrealistic concrete price and was nonresponsive to all specifications. They promised a letter but it was never delivered.

Commissioner Coriz asked for clarifications. He wanted to make sure all the inspections had been done.

Mr. Davenport said they had all the engineers do a thorough investigation of the building, mechanicals and soils. As part of being sure, they took a core sample of the slab and opened up two walls and found they were sound. There were cross stress bars that they didn't expect so they had to make some change to the fenestration. With the soils inspection they knew what was needed to make sure it met the standards. The plumbing and electrical all had to come out and be redone.

The roof had some problems but they were patchable.

They were now doing asbestos and lead tests to know if remediation was needed.

It was a simple building and he was confident they had covered all the bases.

Mr. Valencia suggested that the amendment of up to $1.3 million be added on the last page after the comma "not to exceed $1.3 million."

Mr. Mortillaro moved to approve Resolution 2010-07 as amended with inclusion of "not to exceed $1.3 million. Councilor Seeds seconded the motion and it passed by unanimous roll call vote with Española, Los Alamos County, Ohkay Owingeh, Rio Arriba County, Santa Fe City, Santa Fe County , Tesuque Pueblo and Taos County voting in the affirmative and none voting against.

b. Approval of Resolution 2010-06 (Tabled 7/9/2010): Pojoaque Fares

Ms. Lucero said this resolution was requested by Santa Fe County through the RPA. They were providing a demand response service for students living in Rio Arriba County. The students currently paid a fare of $1.00.

Mr. Bulthuis arrived at this time.

Ms. Lucero explained that Santa Fe County said it cost $58,000 to provide the service and they just allocated $40,000 from the RPA budget and would ask to charge $3 per student to meet the budget.

Ms. Lucero said they were bringing it back because they were already transporting these students.

Chair Romero said she sent out a history of this effort and the ridership report by email to everybody. She didn't hear back from anyone. The RPA heard it again this week and they were running behind because the route restarted on July 1. She asked Ms. Ellis-Green to comment on that meeting.

Ms. Ellis-Green added that the RPA discussed it briefly and agreed to either charge $3 or cap the budget at $40,000. There were students who had transferred from one district to another and the district made clear that the district was not responsible for their transportation.

Chair Romero said the RPA agreed to pay up to $40,000 and the rate increase would allow that service to continue longer.

Mr. Mortillaro thought they were not trying to mimic a school bus route so anyone could ride this route. Ms. Lucero agreed.

Mr. Mortillaro asked how the difference would be made up if the fare was not approved.

Ms. Lucero said the NCRTD would have to stop service when the $40,000 was entirely spent.

Mr. Mortillaro asked if the Board could look at funds for it at that time.

Ms. Lucero said they could but they were constrained now.

Commissioner Cortz said they were accomplishing transportation for a select few. He wanted this to be open. If he had this available for his son it would be very helpful but he had to take his son to school every day. He hoped this Board supported that opportunity. He had discussed it with some students' parents. He would abide by the board's decision but want the Board to know there were others.

Councilor Seeds agreed with Mr. Mortillaro and Commissioner Cortz. They needed to do what they could to get these kids to the school of their choice. There were some line items that they cushioned a little bit. He favored continuing the fares at $1 and not at $3.

Chair Romero said the RPA used a consultant to look at all the routes for efficiency and what the routes provided. The RPA wanted to live within its means so they took a pencil to each of them. The consultant's matrix was the most affordable but to pay the overage was just not feasible. The difference in this route was looked at by staff. Their budget had already been approved. They could see where they

were with GRT revenues and if there was not enough, this resolution would assure the parents that they could continue to have the transportation provided that was needed. The goal was more services and as efficiently as possible. It was a fall back if the RPA had no other money. Perhaps they could change the line items but this was a protection.

Ms. Ellis-Green said in fiscal year 2010 it was predicted to cost $11,000 but in FY 11 it was predicted to be $51,000. If they didn't have a cap, it could by $71,000 next year. They had a discussion of having a fixed route and found it could not be done that way.

Commissioner Coriz asked if this route was designated for a select few or for everyone. If the RPA had decided who got charged he wanted to be clear about it before they voted on it.

Ms. Lucero said it was open to the general public. The majority of those riding were the students. Española had to schedule the ride for the Pojoaque schools, and make sure the fares were in pace. The destination had to be clear for a demand response route.

Ms. Ellis-Green said the RPA was paying just for the students. The resolution was for the students crossing a district boundary.

Mr. Mortillaro asked if there was any other demand response in place.

Ms. Lucero said it was for a 15 miles radius from Española and the NCRTD charged a $1 fare.

Mr. Mortillaro asked if the $1 was being subsidized. Ms. Lucero agreed it was.

Ms. Keevama thought this was some discrimination. She asked why she as a student was being penalized. That might come back and bite the Board.

Chair Romero explained that the $3 fare was for anyone riding on that route, not just students.

Mr. Mortillaro said it was not quite coordinating for him with the differential. If one dollar would not meet the costs, he suggested raising the rate to $2 for all demand response.

Ms. Lucero said she could come back with that.

Ms. Keevama asked if the RPA did a survey found some number of students that did ride.

Chair Romero referred to the back of the memo where the ridership report was presented.

Ms. Lucero said the route now was over the $40,000.

Chair Romero said she was hearing that more work was needed on this resolution and it should determine overall costs for demand response. She asked for a motion

Commissioner Coriz moved to table this resolution until the October 1 meeting.

Councilor Seeds asked if anyone brought up the idea that it be a regular route.

Ms. Lucero said they had and it would be a lot more expensive.

Ms. Keevama seconded the motion to table and it passed by unanimous voice vote.

3. **DISCUSSION ITEMS:**

   A. **Finance/Regional Coordination & Consolidation Subcommittee Report**

Mr. Mortillaro said the Subcommittee had not met since the last Board meeting.

Ms. Lucero said the next meeting of the subcommittee would be September 17th. The last meeting was on July 30th and that was the discussion at that meeting.

Chair Romero said at their next meeting they would have the discussion of the local/regional issue. Mr. Bulthuis, Mr. Caldwell and Councilor Seeds were on the work group to consider it before the Committee would consider it.

   b. **Request from Village of Chama to Begin Discussion of Membership Opportunities with the NCRTD**

Ms. Lucero announced that they made a presentation to the Village of Chama. The mayor attended the meeting at Los Alamos three months ago. Staff were asked to review the contracts for new members. The IGC addressed the issue but the Board had not made a decision on local versus regional or new members.

She would get back to the mayor at some time soon. She also heard this week that the Town of Taos was going to pursue membership in NCRTD.

Mr. Mortillaro said there were lots of criteria they had to consider for new members. He asked if they had already adopted that.

Ms. Lucero said they had not. She wondered if they could make those requirements of potential members.

Mr. Basham recommended against that. The Board would need to provide notice and then could adopt them with a two-thirds vote. They issued a memo on June 7 2009 on this issue and it should be reviewed first.

Mr. Mortillaro asked if staff could ask them for that information anyway as part of due diligence.

Mr. Basham explained that some of the criteria asked for a contribution but asking for present service. He thought some of it would be okay.

Commissioner Coriz asked if it would be in order to give some administrative authority to staff to get that information.

Mr. Basham noted that this was a discussion item. He offered to meet with Ms. Lucero and figure out

what was not too burdensome.

Councilor Seeds asked what the practice had been.

Mr. Basham said Taos County had a public hearing and wanted to join and the Board voted to let them join.

Councilor Seeds asked if they could we use that same procedure.

Ms. Lucero read the criteria from the original IGC. She said there were eight more potential members.

Councilor Seeds thought those areas were already getting some RTD service so they needed to come up with criteria.

Chair Romero reminded the Board that this was discussion only. They were still clarifying things. They could review the criteria and the expected GRT. They could tell the mayor they were still working on it. Staff and Mr. Basham could continue to work on it.

Ms. Lucero agreed to draft such a letter.

Mr. Basham asked if they had passed a resolution.

Ms. Lucero said they just discussed it. The Town of Taos wanted to join too and have the RTD take over their system and their budget.

Commissioner Coriz said the Town of Taos had actually asked to join and the Board voted on it. They had the opportunity but now that the federal dollars were going away, they needed help.

Ms. Lucero said they needed to determine what their financial commitment would be.

Mr. Mortillaro thought they should treat Chama the same way.

Councilor Seeds said they also needed to share the criteria with anyone else who wanted to join.

Ms. Lucero felt the list they had was a great set of criteria and they just needed for the Board to take action.

Mr. Mortillaro pointed out that it required a change to the IGC that was a complicated process. He asked if there was a shorter way to do this.

Mr. Basham agreed to look at it to see what could be done. If it could, he would bring a resolution to the next meeting.

Mr. Mortillaro felt there shouldn't be any reason why the Board could not adopt the criteria.

Chair Romero summarized the discussion with a letter from Ms. Lucero and research by Mr. Basham.

4. MATTERS FROM THE BOARD

Councilor Seeds asked where the Subcommittee meeting on the 17th would be.

Mr. Mortillaro said they would meet at the NCRTD offices.

Chair Romero noted that the conflict of interest forms were sent out. Hector Balderas had a meeting on the issue. The take away for the City of Santa Fe was to form an audit committee to make sure they were doing everything they could. The conflict of interest form for NCRTD was drafted by Mr. Basham.

Chair Romero asked Ms. Halfar to send the draft form out for comments by September 10 and then the final form would be sent out when revised.

5. NEXT BOARD MEETING: FRIDAY, October 1, 2010 at 1:00 p.m.

Mr. Mortillaro offered to host the October 1 meeting in Los Alamos.

6. MISCELLANEOUS

There were no miscellaneous matters.

7. ADJOURNMENT

Councilor Seeds moved to adjourn the meeting. Commissioner Coriz seconded the motion and it passed by unanimous voice vote. The meeting was adjourned at 10:15 a.m.

Approved by:

Rosemary Romero, Board Chair

Attest:

Michael Wismer, Secretary

Minutes submitted by

(g) Accept real or personal property for the use of the District and accept gifts and conveyances upon the terms and conditions approved by the Board of Directors;
(h) Use the streets, highways, rail rights-of-way, and other public ways and, with permission of the owner, relocate or alter the construction of streets, highways, or other public ways, electric and telephone lines and properties, pipelines, conduits and other properties, whether publicly or privately owned, if deemed necessary by the District in the construction, reconstruction, repair, maintenance, and operation of the system. Any damage that may occur to the property shall be borne by the District;
(i) Sue and be sued.

Section 4.02. **Cooperative Powers**. The District may cooperate with a person/entity to:
(a) Accept legitimate contributions or liens securing obligations of the District from the person with respect to the financing, construction, operation, or maintenance of the transit system and, in connection with a loan or advance, enter into contracts establishing the repayment terms;
(b) Enter into contracts regarding the financing, construction, operation, or maintenance of the specified transit system;
(c) Enter into joint operating contracts concerning the transit system;
(d) Acquire easements or rights-of-way for the transit system;
(e) Designate a regional transit system as part of the State highway system, a County highway system, or a Municipal highway system if the person with jurisdiction over the applicable highway system consents to the designation.

Section 4.03. **Taxation**. The District has no direct taxation authority.

ARTICLE V
OFFICES

The principal office of the District shall be located within the geographical boundaries of the District and shall be designated by the Board of Directors. The District may have other offices at such other places within the State as the Board of Directors may from time to time determine. Board may add ex-officio members as needed.

ARTICLE VI
MEMBERSHIP

Membership in transit districts is open to governmental units, which means the State, a County or Municipality of the State, or an Indian Nation, Tribe, or Pueblo located within the boundaries of the State. The North Central Regional Transit District's original members may include any governmental unit (hereinafter, "Member") within or containing the boundaries of Los Alamos, Río Arriba, or Santa Fe Counties. Members may be added or deleted pursuant to Article VIII of these Bylaws and Section 73-25-17 of the Act.

ARTICLE VII
POWERS OF MEMBERS

A Member, for the purpose of aiding the financing, construction, operation, or maintenance of the transit system, may:

(a) Sell, lease, loan, donate, grant, convey, assign, transfer, and otherwise dispose to the District real or personal property or interests therein;

(b) Enter into agreements with a person for the joint financing, construction, operation, or maintenance of the transit system. Upon compliance with applicable constitutional or charter limitations, the Member may agree to make payments, without limitation as to amount except as set forth in the agreement, from revenues received from one or more fiscal years, to the District or a person to defray costs of financing, construction, operation, or maintenance of the regional transit system;

(c) Transfer to the District a contract that may have been awarded by the Member for the construction, operation, or maintenance of the transit system.

(d) Ex-officio members serve as advisors to the Board without voting powers.

ARTICLE VIII
ADDITION OR WITHDRAWAL OF TERRITORY AND PROPERTY

Section 8.01. **Joining the District**. After the creation of the District, a governmental unit adjacent to or contained within a governmental unit adjacent to, but not part of, the District may join the District as a Member and determine the territorial area to become a part of the District. A two-thirds (2/3) affirmative vote by the Board of Directors shall be required before the governmental unit may join the District.

Section 8.02. **Withdrawing from the District**. A Member of the District may withdraw from the District by adopting a resolution to withdraw. The Member shall withdraw its representative from the Board of Directors. Real property owned by the District within the boundaries of the withdrawing Member shall remain the property of the District. The provisions of withdrawal shall be negotiated and agreed to by the Board of Directors, the Member, and the Commission.

Section 8.03. **Inclusion or Exclusion of Property**. The Board of Directors may include or exclude property from the boundaries of the District, pursuant to Section 73-25-6 and Section 73-25-17 of the Act.

ARTICLE IX
BOARD OF DIRECTORS

Section 9.01. **Establishment of Powers.** The District shall be governed by a Board of Directors (hereinafter, the "Board") as described in the Act. The Board shall exercise and perform all powers, privileges and duties vested in or imposed upon the District. Subject to the exceptions in Section 73-25-5 of the Act, the Board may delegate any of its powers to an Officer or Agent of the Board.

Section 9.02. **Powers of the Board.** In addition to all other powers conferred by the Act, the Board may:

BASHAM & BASHAM, P.C.

MEMORANDUM
October 7, 2009

To: North Central Regional Transit Board
From: NCRTD Staff and Counsel
Re: Additional Membership

ISSUE: What is the process for changing Membership or boundaries of the District?

EXECUTIVE SUMMARY:

1. The NCRTD can add new members by Resolution with a two-thirds vote. Conditions can be imposed upon the addition of new members in the Intergovernmental Contract.

2. The NCRTD can add or subtract areas from its region by Resolution. The resolution needs a two-thirds vote and must be adopted after a public hearing. To add land that is not within a current Members jurisdiction requires approval of the city, county, tribe etc. that has jurisdiction in the area.

3. The Regional Transit Gross Receipts Taxes are completely independent of the Membership and depend upon the District boundaries.

4. Any Governmental Unit, whether it is a Member or not, can contract with the District to pay for regional transit system expenses or services.

5. A current Member can withdraw from the District but the terms of the withdrawal must be negotiated in a contract agreed to by the Board.

The Board should carefully consider its quorum requirements, logistics of a larger board the adequacy of the existing representation, and the adequacy of existing funding, prior to adding members or areas to the District or the District boundaries.

DEFINING THE ROLES:

The "Act" is the Regional Transit District Act. It is the "organic statute" meaning that it is the original source of all the NCRTD's authority. It uses the following terminology:

The "Board" is the combined representatives of the Members under the Act and the Intergovernmental Contract as described below.

The "District" means a regional transit district that is a political subdivision of the state created pursuant the Regional Transit District Act (note: the word District is usually used to describe the entity not the geographical region although the Act is inconsistent in its use of the term)

A "Governmental Unit" means the state, a county or a municipality of the state or an Indian nation tribe or pueblo located within the boundaries of the state. (note: this means that a Governmental Unit is any local or tribal government whether or not it is a Member of a District)

"Member" is not defined in the Act but is used to describe Governmental Units included in the District

"Directors" is not defined in the Act but is used to describe the representative of a Member to the Board.

The Act Requires that each Member of the District have at least one Director. It leaves open the possibility of multiple Directors for individual Members. Directors can be the designee of an elected official and can act on behalf of the Member at Board meetings on all matters except land purchases and bond issuances.

AUTHORITY FOR CHANGES:

The Act states that two or more Governmental Units "may create a district by contract." The contract creating the District in the case of the NCRTD is the "Intergovernmental Contract" (sometimes called the "IGC"). The Act requires that the contract include "establishment and organization of the board in which all legislative power of the district is vested", "boundaries of the district" "provisions for amending the contract" and "conditions required when adding or deleting parties to the contract." In summary, the Act provides the broad parameters of Authority for the District but it leaves much of the details to the Members who can implement changes by resolution or by amending the IGC.

1. Adding new Members.

The Act's provisions on adding new Members are a bit unclear due to the ambiguous use of the term District both to describe the entity and the region. It is further muddied by the terms of § 73-25-4 (B) (11) that states the IGC shall include "conditions required when adding or deleting parties to the contract pursuant to Section 18..." The use of the term "parties" instead of Members and the reference to Section 18 (which deals with matching funds) instead of Section 17 (which deals with adding or subtracting Members) makes the Act unclear. Furthermore, Section 17 is incorrectly titled "addition or withdrawal of territory by a district." even though it substantively deals with addition

and subtraction of Members. (Provisions regarding boundaries are actually in §73-25-6 (B) and (C)). All in all, I conclude that the controlling provisions on Members are actually §73-25-4 (B) (11) and § 73-25-17. These two provisions, read together, require the following. To add a member you have to change the IGC. The IGC should include any conditions the District wants to impose upon the admission of new Members. Any new Member must be "adjacent to" the existing District boundaries. The admission of the new Member requires a two-thirds vote of the Board and subsequent execution of a contract amendment or addendum to the IGC.

2. Changes to the Geographical Boundaries of the District.

The Board can add or subtract property from the geographical boundaries of the District by resolution upon a two-thirds vote of the Directors. The provisions regarding boundaries are contained in §73-25-6 (B) and (C). The boundaries can be changed without changing the IGC. The Board can include or exclude any areas covered by its current Members. For lands of non-Members the prior approval by the governing body of the Governmental Unit having jurisdiction is required. Any change to District boundaries requires a public hearing on the resolution. Changes to district boundaries can impact future tax elections under § 7-20E-23, NMSA 1978, but there is no provision of law permitting the change to a District's boundary to effectively negate a Regional Transit District tax already imposed by the electorate. Therefore the boundary change process would only impact future tax elections.

3. Taxing authority is independent of Membership and dependent on District boundaries.

The authority to impose the Regional Transit District Gross Receipts Tax is granted by § 7-20E-23, NMSA 1978. This is an entirely separate section of the law from the Act. The Act's only section dealing with taxes is §73-25-16 stating "a district has no **direct** taxation authority" clearly implying it has indirect taxation authority. Although § 7-20E-23 describes the initiation of the tax as a "request by resolution of the board of directors of a regional transit district" the "request" compels a majority of the governing body in every County within the District's boundaries to impose an identical tax ordinance. In reality the authority to impose the tax is with the electorate who vote on the tax and the statute simply provides a process whereby the Board can initiate and collect the tax through the counties. The tax is approved on a district-wide basis by the majority of the voters in the district. Although there is a temptation to look at the tax in terms of the Members (and particularly the counties since they are the conduit for the taxation) the taxes are authorized by the voters within the geographical boundaries of the District and the revenues belong to the District as an entity not to the counties or other Members within the district.

The taxes must be dedicated to the "purposes authorized by the Regional Transit District Act." These purposes are contained in § 73-25-2 and are very broad. Therefore, the allocation and use of the taxes is generally within the discretion of the Board so long as the taxes are being used for the purposes and under the powers authorized by the Act. However, the Act permits the District to further restrict its own exercise of powers in the

IGC and the Board has elected to Limit the District powers to "only finance, construct operate, and maintain, or promote Regional Transit Systems;" IGC, § 5.02 (a). This means that at present the District does not have authority to use the tax revenues for anything that does not constitute a "Regional Transit System." Furthermore, the District is expressly forbidden from funding or providing local services unless there is an agreement that the Member will pay the "fully allocated cost basis" IGC, §2.06(d).

4. The District can provide transit services both within and outside the District boundaries to Members and to non-Members.

The District has express authority to provide services both within and outside the District boundaries. (See § 73-25-6 (A) (6) and (10). And it is expressly authorized to enter into contracts with non-Members for delivery of regional transit services. §73-25-13 (B). This means that the District can work with other governmental entities on financing and providing regional transit services even if the entity does not have a Director on the Board. This provides an alternative to adding new Members to the Board. Services are however, restricted to regional transit services and reimbursement of local service expenses described above in section 3 of this memo.

5. Withdrawing as a Member.

The provision of the Act dealing with withdrawal of members is § 73-25-17. It should be noted that withdrawing as a Member only affects the Governmental Unit's right to have a Director and participate in the District decisions through representation on the Board. It does not impact the taxing authority of the District that is established by the District boundaries. Any member can withdraw at any time by resolution but the impact of withdrawing are: 1) loss of a Director and potential changes to the establishment and organization of the Board under the IGC; (i.e. the IGC provisions on proportional voting rights and Membership may need to be subsequently adjusted) 2) any geographical area within the former Member's jurisdiction that was not already within the District boundary will now require the approval of the former Member for inclusion in the District boundary; 3) and conditions already imposed upon withdrawing by the IGC pursuant to 73-25-4 (B) (11) may be imposed upon the former Member by contractual agreement prior to "deleting" them from the contract; 4) the District shall negotiate with the former Member on "provisions of withdrawal" (presumably those not already covered by the IGC) pursuant to § 73-25-17 (B).

POLICY RECOMMENDATIONS:

Any policy of the NCRTD is within the sound discretion of the Board. Staff makes these recommendations with the firm commitment to following Board direction and without any presumption as to the wishes of the Board.

1. Membership should be maintained at a level that ensures Board meetings will have a quorum, will ensure representation of the voters within the District, and will optimize the ability of the Board to provide regional transit services within the District.

If additional Governmental Units wish to work with the Board they can do so through contractual arrangements and need not become Members. The existing county Members have jurisdiction in all areas of the District except the areas of the tribal Members. Therefore, county Directors may serve as effective representatives of other Governmental Units within their counties.

2. The IGC should have express provisions regarding conditions for addition and Withdrawal of Members. At present the only provisions are those already set forth in the Act and a provision that "each ... member has executed the original Contract." See IGC §§ 2.04, 11.01, 11.02 and 11.04.

3. If the Board wants to be permitted to fund non-regional transit services with any of the tax money it receives or wants to provide local services for Members or non-Members under contract without receiving back the "fully allocated cost basis" of the transit service the IGA should be amended to reflect these changes.

4. Unless the Board wishes to impose taxes in counties outside the present District boundary there is little reason to change the District boundary. The boundary is primarily an area subject to taxing authority and an area of operation for planning purposes. But the NCRTD can provide transportation services outside the District boundary under the Act (though it is prohibited from doing anything but Regional Transit Services under the IGC). The Board may however wish to change the District boundary for planning purposes or to clarify its area of operations.

North Central Regional Transit District
Board Meeting
Friday, December 2, 2011

CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date by Chair Rosemary Romero at 1:13 p.m. at the Buffalo Thunder Resort, Pojoaque, New Mexico.

1. **Pledge of Allegiance**

2. **Moment of Silence**

3. **Roll Call**

Roll call indicated the presence of a quorum as follows:

Members Present:	**Elected Members**	**Alternate Designees**
Los Alamos County	Councilor Michael Wismer	
Taos County	Commissioner Dan Barrone	Mr. Jacob Caldwell
Santa Fé County	Commissioner Robert Anaya	Commissioner Danny Mayfield
Rio Arriba County	Commissioner Barney Trujillo	
Ohkay Owingeh	Rob Lieb	
Pojoaque Pueblo	Mr. Tim Vigil	
San Ildefonso Pueblo	Councilman Raymond Martínez [T]	
Santa Clara Pueblo		Ms. Mary Lou Quintana
Tesuque Pueblo		

City of Santa Fé	Councilor Rosemary Romero	Mr. Jon Bulthuis
City of Española	Councilor Robert J. Seeds	
Members Absent:	**Elected Members**	**Alternate Designees**
Los Alamos County		Ms. Anne Laurent
Taos County		
Rio Arriba County		Mr. Tomás Campos
Santa Fé County		
Pojoaque Pueblo		Councilman Cameron Martínez
San Ildefonso Pueblo		Ms. Sandra Maes
Ohkay Owingeh	1st Lt. Gov. Virgil Cata	
Santa Clara Pueblo	Sheriff John Shije	
Tesuque Pueblo	Governor Charles Dorame	Mr. Sammy Romero
City of Santa Fé		
City of Española		Councilor Helen Kane-Salazar

Staff Members Present
Ms. Cynthia Halfar, Executive Assistant
Ms. Kelly Muniz, Financial Director
Mr. Tony Mortillaro, Executive Director
Mr. Jack Valencia, Transit Project Manager
Mr. Peter Dwyer, Counsel for NCRTD

Others Present
Mr. Greg White, NMDOT
Mr. Bob Sarr, Santa Fé
Governor Mirabal, Nambé Pueblo
Ms. Linda Woods, Nambé Pueblo
Mr. Mitch Davenport, Facilities Manager
Mr. Andrew Jandáček, Santa Fé County
Ms. Judith Amer, City of Santa Fé

4. Introductions

Those present introduced themselves.

5. **Approval of Agenda**

Commissioner Anaya moved to approve the agenda as presented. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

6. **Approval of Minutes for November 4, 2011**

Mr. Mortillaro asked for a correction on page 4, item C where it should said the Executive Director was authorized to spend up to $100,000 not $1,000.

Councilor Wismer moved to approve the minutes of November 4, 2011 as amended. Commissioner Anaya seconded the motion and it passed by unanimous voice vote.

7. **Public Comments**

There were no public comments.

PRESENTATION ITEMS:

A. Presentation to Honor Board Director and NCRTD Secretary/Treasurer, Michael Wismer

Chair Romero identified this as a big transition meeting. She presented a plaque and a gift to Councilor Wismer. He was not retiring but transitioning. She read the inscription on the plaque.

Commissioner Anaya felt no member was more important than another but Los Alamos had been especially supportive in contributions to the NCRTD.

Councilor Seeds thanked him for his professionalism and for being one of the moving forces to see that the support was done.

Commissioner Trujillo echoed his remarks and appreciated the way he conducted himself and taught others a few things as well.

Chair Romero thanked him for his gift of polity.

Councilor Wismer said he stepped in for his great colleague Jim West when he became ill. He thanked individual staff and board members - Mr. Valencia, Commissioner Trujillo, Councilor Seeds, Ms. Quintana, Mr. Caldwell, Commissioner Anaya, Commissioner Mayfield, Mr. Vigil, Mr. Dwyer, Mr. Mortillaro and Chair Romero and spoke of their individual contributions.

B. Presentation of Recognition and Appreciation for Retiring NCRTD Staff member Jack Valencia

Chair Romero acknowledged Mr. Valencia's service to the Board upon his retirement at the end of December. Mr. Mortillaro read the inscription from the plaque that listed his accomplishments with NCRTD and spoke of Mr. Valencia's work on behalf of the region.

Mr. Valencia thanked the Board members and staff for helping him do his job.

Commissioner Anaya and Commissioner Trujillo gave kudos to Mr. Valencia.

ACTION ITEMS FOR APPROVAL/DISCUSSION:

C. Approval of Resolution 2011-14: Open Meetings Act for 2012

Mr. Mortillaro said the Board adopts this annually and it sets the dates for regular meetings and how they conduct the meetings according to the Open Meetings Act. The only change was on April 6th which was Good Friday; otherwise it was first Friday of each month.

Commissioner Anaya moved to approve the resolution. Commissioner Trujillo seconded the motion and it passed by unanimous voice vote.

D. Approval of Resolution 2011-15: Resolution for the Renewal of Free Fares for 2012

Mr. Mortillaro asked Linda Trujillo to discuss this resolution. This was a renewal of the original resolution from 2008.

Ms. Trujillo called attention to the costs associated with using fare boxes and the benefits of continuing free fares instead of instituting fares for riding the buses.

Mr. Mortillaro shared the recent research on free fares for transit agencies. Thirty nine agencies around the country didn't charge - most were in small or rural communities - also universities. They found the biggest benefit was that it increased rider ship significantly. He felt that was very important.

The drivers get well acquainted with their passengers and indicated they would lose some if fares were started.

Mr. Boaz asked for a date correction from Dec 31 2013 to Dec 31 2012.

Chair Romero said the full report on fares was about 100 pages. There was a shorter version that was relevant to the work here.

Commissioner Anaya distributed a memo he wrote this morning. He said former Commissioner Sullivan had approached him about charging fares. He asked what the total estimated costs to just handle the money would be.

Mr. Mortillaro said it would cost $38,000 for installing fare boxes and another $37,000 to administer them. So $80,000 initially and roughly $40,000 thereafter.

Commissioner Anaya said it was the feeling of some that a more formalized method of tracking could be done better with a fare system. He asked if there was any other way to track the riders. When you charge a fare it was much easier to use.

Mr. Mortillaro said he rode one of the most modern transit systems in Europe not long ago and purchased an electronic ticket and watched others do the same. He saw people get on the bus without putting in any fare and the driver was busy and couldn't call them on it.

Mr. Bulthuis said with the size of the system and operation the manual tally was the most common across the country. Those fare boxes would not have a way to track occupancy but just revenue. These were not the validating fare boxes that the larger systems had and which were much more expensive.

Commissioner Anaya thought they should always analyze the resolution to dispel concerns about this way of doing business. This memo was written with the article in the Taos News that said how expensive the rider trips were.

Commissioner Anaya read his memo [attached as Exhibit A]. He acknowledged that the article could be written out of context. He acknowledged that they had to look at more than just the money. He fully supported the resolution.

Commissioner Anaya moved to approve the resolution. Commissioner Barrone seconded the motion.

Commissioner Barrone said if the NCRTD approved this they were taxing them with federal and local taxes.

Councilor Seeds agreed with Commissioner Barrone.

Chair Romero said they would have another look

The motion passed by unanimous voice vote.

Councilor Seeds suggested having a workshop ahead of this resolution next year. Chair Romero agreed to that directive.

Commissioner Anaya thought the workshop could be done at any time and the Board could consider changing the resolution at any time.

Councilor Seeds wanted to make sure they would do all they could to consider the taxpayers.

E. Approval of Resolution 2011-16: Requesting the Rio Metro Regional Transit District to Provide a

Board Seat to the North Central Regional Transit District

Mr. Mortillaro participated on the Rail Runner Finance Task Force and there was some discussion about seeing if NCRTD could get a seat on their board. They had an agreement and forwarded 50% of the Santa Fé portion of the NCRTD GRT to them for the Rail Runner. They indicated it would need a resolution.

He looked at the bylaws of Rio Metro. Theirs was quite a bit like ours and it would be a challenge to allow us to have a seat.

He was not sure of the politics among their members. This resolution makes a request for a seat but we might want to consider an ex officio seat. That wouldn't provide NCRTD with a vote but would officially recognize NCRTD as a member on their board. He thought it was a good idea.

The MPO also sent a letter requesting a seat for Santa Fé City and Santa Fé County. The MPO staff had not received a response to their request.

Rio Metro decisions did have an impact on Santa Fé so that was why it was an important consideration.

Chair Romero reported the City of Santa Fé had a meeting with Santa Fé County folks and Rio Metro folks back in the fall. Mayor Coss also requested a seat at the Rio Metro Board. The Mayor would defer to the RTD. He understood the dynamics of changing by-laws and IGAs would be very complex and challenging. So the City was amenable. They were a member of the MPO.

Councilor Wismer asked who was on that board now.

Mr. Mortillaro said it was representatives of Albuquerque, Bernalillo County as well as Sandoval County

Councilor Wismer asked what Mr. Mortillaro's role was there now/

Mr. Mortillaro clarified that he was on the Rail Runner Task Force for finances. They indicated they were having financial troubles and there were suggestions by Santa Fé County and representatives and they were forwarded to the Task Force. They now had a Governor's representative, a NMDOT representative and himself.

They came up with recommendations and one of the short-term ones was to approach the NCRTD for more money. So his preference was to have a vote. But it might be simpler to get an ex officio seat as a camel nose under the tent to get involved.

Councilor Wismer surmised it came down to at least being ex officio or to push for being a voting member. Mr. Mortillaro agreed.

Mr. Vigil wondered if the two could be tied together and Rio Metro be asked to grant voting privilege after two years. Then if they accepted the proposal after two years it would be automatic.

Mr. Mortillaro didn't know because the district was a geographic area. He questioned if they could put a district within a district or include Santa Fé County and put them into two taxing entities.

Mr. Dwyer noted later on the agenda was an item on considering other members. Other people were interested. Rio Metro had their own legal counsel and was free to disagree. The district boundaries were important for imposing taxes. The statute didn't do a good job about adding and subtracting members - not well written. Weighted voting was not addressed in the statute. They could give us one vote but not become a member of their district. So he thought it was possible but their legal counsel could disagree.

Commissioner Anaya said board members sat on various boards - RPOs or MPOs. They were going to be asked to sit on Mid Region RPO. Our one vote would not impact their decisions among those counties and cities so he would agree that they might not end up with a board seat but should still support the resolution. They were not unreasonable people. If it turned out to be ex-officio, so be it. He didn't think they would have a strong objection to us sitting at the table.

Chair Romero noted that they decided to reduce weekend service without talking with us. The NCRTD had to have some kind of representation. She wanted their whole board to understand the impact to our region when they take away weekend service. They made a decision and we have to have representation. She was hearing to seek full membership. Commissioner Anaya agreed.

Mr. Bob Sarr said he had followed the Rail Runner for a long time and strongly supported this resolution. The NCRTD definitely deserved to have a vote.

The motion passed by unanimous voice vote.

Commissioner Trujillo asked to hear Mr. Valencia's comment.

Mr. Valencia explained that originally when the decision was made it was to not be a voting member because of the insurance implications - that there could be a greater risk on our insurance costs because of greater liability exposure.

Mr. Mortillaro agreed that was an issue they discussed. A couple of weeks ago he and Mr. Dwyer met with the Municipal League and from their comments he no longer had that concern. Having a seat didn't change that.

Mr. Valencia apologized and was unaware of that conversation.

F. Discussion of New Membership Interests, Direction and Possible Board Actions

Mr. Mortillaro met with Nambé Pueblo about their interests in membership and with Commissioner Mayfield would meet with Governor Mirabal and the administrator Ms. Woods.

So he brought it forward for consideration. Also the Village of Chama was included in the minutes from

2010 about that. It had a list of questions to ask the Village and once answers were received could consider them for membership.

Staff wanted direction for how to handle requests for membership with a standard list of questions and could bring them to the next board meeting.

He asked Mr. Dwyer to talk about the lack of clarity in the bylaws.

Mr. Dwyer said a memo from two years ago was in the packet. It was based on a possible request to withdraw from membership. The key in the statutes was to look at geographic area as a taxing entity - through counties and not municipalities or pueblos. The statute didn't do a good job about how to do it.

The board amended the bylaws to add Taos County so it could be done. It required a 2/3 majority vote after a public notice and then take the IGA and get it re-executed by the counties. It took a long time last time. Then a new resolution on weighted voting would be needed. He didn't know how that was done but thought it was by subtracting populations of municipalities and pueblos in that county who were members.

Commissioner Anaya felt the broader the perspective, the better - so more members were better. So he would gladly help with Nambé Pueblo.

Councilor Seeds agreed. The RTD had a challenge ahead and needed to encourage other communities to partner with us and work out the voting. We got it done in the first place and need to improve on it. We'll need them to support this transit system soon.

Councilor Wismer supported those comments. He asked why they couldn't use the criteria in the by-laws. Ten items were listed but he thought they could use 3-4 of them - by-laws and IGA. A public hearing and then a vote - he asked if they could use that.

Mr. Dwyer agreed. The statute requirements were minimal. They worked on more details but they never got approved. So they would have a public meeting and then those seeking membership would indicate if they wanted to be members and then a 2/3 majority of votes and weighted votes and issue a revised IGA and everyone would have to support the agreement.

Councilor Wismer supported that.

Commissioner Mayfield asked Mr. Dwyer if they had to redo the weighted voting since the new census was completed.

Mr. Bulthuis didn't recall that was part of the original by-laws but it did make sense to do that.

Mr. Dwyer agreed it would make sense. The weighted voting was a resolution but not part of IGA or by-laws.

With a small member like Nambé and Chama, given their small size, would probably just get one vote. The core of the taxation scheme was that people in the area should have a say.

Commissioner Anaya moved to approve Nambé Pueblo and the Village of Chama as voting members.

Mr. Mortillaro conditioned it on doing these four things -

Commissioner Anaya asked about Edgewood whom the RTD already served.

Governor Mirabal was invited to speak and thanked the Board for that. His main concern was that Nambé was over 1.25 miles from the regular route and 2 miles to the pueblo offices. For now, he asked if it was possible to extend a route or stop at 101. That would be helpful.

Mr. Mortillaro said after they met with the Governor, he had staff look at it and found they could add a stop at 101 and could eliminate a couple of others so they would be putting that on a new schedule to start soon.

Mr. Vigil clarified that although minutes were part of public record, the tribal council minutes would not be made public but the Board would get a tribal resolution requesting membership in NCRTD. Under item 7 for turning over grants that entities might be getting, those grants were specific to the tribe for transportation so they probably would not be able to do that. Something about that would need to be written.

Mr. Mortillaro said Mr. Vigil was right and the rewritten tribal policy addressed that. Unfortunately the statute didn't include the tribal perspectives. He thanked Mr. Vigil for clarifying that.

Chair Romero suggested they could change that to add tribal process.

Mr. Dwyer clarified that there needed to be an open meeting for taxation purposes but our entities were already taxed. The statute was just poorly written.

Commissioner Anaya asked if he could finish his motion. Commissioner Anaya moved to approve Nambé Pueblo and the Village of Chama as voting members and to use the streamlined process and not compromise tribal sovereignty in any way. He added Picuris Pueblo, Edgewood and then made a substitute motion.

Councilor Anaya moved to send a letter to any eligible entity in the region through the streamlined process. Councilor Seeds seconded the motion.

Chair Romero said people did believe that if their entity joined the RTD they would get services but there was not extra money for that so she asked for a friendly amendment to have a resolution asking the county commissions to have a public meeting to consider whether these communities should be included with the understanding that the RTD had limited resources and people already had representation on the board through the County.

As a matter of record, the Town of Taos also asked for membership. We need to look at the Service Plan as a whole. Efficient services could help Nambé so there were ways to address it.

Commissioner Anaya didn't accept that as a friendly amendment. He would continue to advocate for membership expansion.

Councilor Wismer supported the motion but had a concern for pueblos that might want to apply under these provisions for pueblos - or in a case of a tribal government "as appropriate."

Mr. Dwyer thought that might be the way to go but they could not change the statute which required minutes of a public meeting. To the extent we didn't follow it that would not be legal.

Commissioner Anaya couldn't think of one legislator who wouldn't change the statute. **He accepted Councilor Wismer's friendly amendment to add "as appropriate."**

Mr. Dwyer said okay but was putting the Board on notice that he did notify the Board of the potential difficulty. He suggested the wording be, "or as appropriate from tribal entities."

Mr. Vigil didn't want to step on anyone's toes but there were plenty of statutes out there that wouldn't be followed on tribal grounds.

Mr. Dwyer agreed. It was just not well written and didn't contemplate this.

Mr. Vigil didn't think anyone would have a problem with it but if there was a question, they could contact state legislators.

Ms. Amer asked if tribes ever did public hearings.

Mr. Vigil said the invited guests would be asked to leave after discussion for a vote to be taken so it was not public per se. Each tribe was completely different - who sits on the council, who had a vote - it was just the way things were.

Mr. Dwyer added that the public meeting did not need to be part of a tribal council meeting. Maybe the Board could do that for the applicants. First they would need to check with them to see if that was okay.

Councilor Wismer said his amendment was to clarify that in the case of a tribal government to use an equivalent process.

Chair Romero said on page 2 they had 4 things and were trying to add to #3 to request instead of minutes of a public hearing an equivalent process. If they left #2 alone and ask for the changes to be on #3 it would be okay.

Commissioner Anaya thought having both was okay.

Commissioner Anaya said they dealt with the tribal governments regularly. He respected our legal counsel and was ready to vote.

Councilor Wismer summarized that they had a motion on the floor. He made a friendly amendment

which was accepted and also from #3 from Chair Romero so there were two friendly amendments.

Commissioner Anaya asked, once they were members, if he saw any problem with the balance of those things.

Mr. Mortillaro saw no problem.

Commissioner Anaya said it was then to talk with any entity in the region. Councilor Seeds was accepting the friendly amendments.

Mr. Caldwell believed the result would be a letter to tribes and municipalities in the region and thought when they received it they would consider themselves invited to be members. And then at a subsequent hearing of this Board, he thought they should develop the criteria and let those who were interested know about weighted voting as it stands today. But he asked if this passed if any entity that complied with the criteria would become a member.

Mr. Dwyer said it required a 2/3 majority vote of this board for that to happen.

Commissioner Anaya agreed. They would express interest or not and staff would report back those that were interested and the Board would have a public meeting with a 2/3 vote required.

Mr. Caldwell cautioned that the Board had to have the criteria for their membership and their understating of weighted votes. If that was done, he was fine with that. But until they established the criteria and how to process the requests there might be a delay.

Commissioner Anaya understood that. The letter needed to be clear that they were writing a letter to express interest in being a member of the board and then the Board would proceed through the rest of the process.

Mr. Caldwell thought should be tribes, pueblos and incorporated municipalities.

Mr. Dwyer said there was a list of eligible entities who could be members. They could sort it out at that time whether they qualified under the statute. The list was in the preamble of the statute.

Commissioner Anaya clarified that membership wasn't guaranteed. That needed to be clear in the letter.

Councilor Seeds proposed that staff should draft a letter and the Board approve it at the January meeting after review.

Ms. Amer thought they should deal with Nambé now.

Commissioner Anaya said if they opened the door partway it should be opened all the way. Everyone should be given the same opportunity. He reminded them that Cochiti was in his district and part of Santo Domingo - and they were sitting on the Rio Metro Board now and the train goes through their pueblo. So

there were other benefits. So he was okay in sending the letter to those eligible by the statute list.

Ms. Amer cautioned about avoiding a rolling quorum in the emailed responses. The members should only reply to Mr. Mortillaro to avoid that.

Commissioner Anaya summarized the motion.

The motion passed by majority roll call vote with Los Alamos County, Rio Arriba County, Taos County, Santa Fé County, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo and City of Española voting in the affirmative and the City of Santa Fé voting against (because of lack of clarity).

Ms. Woods said they were confused. The reason they were here was because they were invited. She was from Tesuque but worked for Nambé. They just wanted to have the same services their fellow pueblos were receiving. Their job was to provide services to their people.

Chair Romero invited her to attend the Tribal subcommittee.

DISCUSSION ITEMS:

G. Update of the Jim West Regional Transit Center

Mr. Mitch Davenport reported that the building was doing well and close to being done but was not ready to be occupied because of the soil problem. They were now investigating two alternatives - one was a chemical ionization treatment to the soil and an engineer was working on it. It was a quarter of the price so they were looking into it. While it had been used extensive in the rest of the world it had hardly been looked at all in the US.

The other alternative was concrete. That would be a great surface for the parking lot but very expensive.

We could always go back to the original design but it was not likely to work. The area was notorious for bad asphalt work. That was where it stands.

Commissioner Trujillo was bewildered because when he looked at asphalt parking lots around there they seemed to be okay. They set the contract up and wanted to hold the company accountable without change orders and this was a major change order. He saw most businesses around there with pretty good parking lots - Lowes, Chili's WalMart. He was just frustrated.

Chair Romero agreed.

Commissioner Trujillo asked who knew what would happen with putting the chemical into that soil.

Mr. Davenport said the claims were no environmental problem in that process. He did think they could

have a parking lot like Lowes. But the guy who built that one thought it would fail.

We could do what everyone else did in that area but he wanted the Board to understand that it could fail in a short amount of time.

Councilor Seeds felt that whatever happened in the next few years, the NCRTD would get blamed for putting chemicals in the ground.

Mr. Davenport had hoped to have the estimates before this meeting but couldn't.

Councilor Seeds said it was just a high water table and having it float with the water would be best.

Mr. Davenport said their civil engineer was working on a concrete plan and another engineer was working on the ionization process. Nothing would be done without the Board's approval.

Councilor Seeds asked how much longer it would be to occupy it.

Mr. Davenport said it could be occupied by December 26.

Councilor Seeds asked what the Board needed to do.

Mr. Davenport said if the Board wanted to pay for concrete, we could start tomorrow. He shared concerns with Commissioner Trujillo that their estimate was not reasonable.

Mr. Mortillaro said it was $500,000 to $600,000.

Chair Romero said they wanted really very good numbers.

Mr. Davenport said the ionization numbers were fabulous but he needed to first know if it would work. Also he had never seen concrete for this size parking lot. Time was money and they were in the middle of winter so he could not say.

Mr. Vigil asked what kind of guarantee we would get on this from the contractor.

Mr. Davenport said it was one year with the State of New Mexico price agreement. That was why he was trying to do a risk assessment on this. If we spend that kind of money and think it could fail in five years - that's crazy. But if we find a product that performs the way ionization works, they claim 15 years in other parts of the world. It was worth our time to look into it.

Commissioner Mayfield suggested moving into it in December by throwing some base course on the parking area so it could be used.

Mr. Davenport thought the City of Española would cooperate to get us a certificate of occupancy. Normally landscaping and curb and gutter would have to be in place and they wouldn't have those things. It was an option and he had discussed it with the city.

Ms. Amer read the article in the Rio Grande Sun about the geological evaluation - Apparently the problem was known and yet was approved. She asked if that was the architect who did that.

Mr. Davenport said the article was very misleading. He was quoted several times with things he didn't say. He explained the process. Weston did borings on the site as a sample of what the soil was and made recommendations based on what the RTD wanted to do on it - drive buses on it. The soils report went to architect and civil engineer.

They recognized in the soils report that there was a high water table and it was important that these soils didn't get wet.

Councilor Wismer excused himself from the meeting at this time.

Mr. Davenport said when they stripped off the asphalt they sank down in mud. The design team designed it based on the soils report. So it was hard to say it was their fault. Looking back it would have been better to not take off all of the asphalt but that was a typical process. He didn't think he could say it was the architect's fault. The aim was still to open the building in February. Mr. Mortillaro agreed.

Mr. Mortillaro said if they could not do it with funds available, he would come back.

Commissioner Trujillo hoped they could get this done before the winter got worse.

H. Financial Report:

- **Regional Transit GRT**
- **Combined P-L Format**
- **Status of the FY 2011 Audit**

Ms. Muniz had worked very hard over the last year to get our finances in order. She briefly reviewed the GRT report and summarized that they were on track. They were one third through the fiscal year and were falling right where they should be on most line items. She noted she was still processing October invoices. Overall, the expenses were about 28% of budget.

This morning she got confirmation that the audit was submitted by the 30th so they met the deadline.

Chair Romero congratulated her for the achievement.

Commissioner Anaya asked if she just got the agency to be point where they didn't have all those concerns. Ms. Muniz agreed.

I. Finance/Regional Coordination & Consolidation Subcommittee Report

Mr. Caldwell said they had a discussion last time on two items. Now he was delighted that he would get a replacement as chair of Finance Comm.

J. Executive Report for November 2011 and Comments from the Executive Director

- **Request for Submittal of Letter to Los Alamos County Regarding the Progress Through Partnering Program**

Mr. Mortillaro said the Executive Report was in the packet.

He said the Los Alamos County Council would discuss the Progress through Partnering Program. They have $1.5 million for a regional project. He spoke with the chair and staff and they suggested we send a letter to renew that funding for the NCRTD. What he was requesting was authorization to send it.

Commissioner Anaya moved to approve the request. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

Commissioner Barrone asked if anyone would be there to speak to it.

Mr. Mortillaro said he would find out what they needed to do. There were other things that were funded and he didn't know how much they might award the NCRTD. We want them to renew the five year agreements that provided for a five year program.

Chair Romero asked him to email the letter to all board members. Mr. Mortillaro agreed.

Mr. Mortillaro said a gentleman from Ojo Caliente asked for a change in the route stop in their community and to let you know, Ms. Trujillo was able to add that stop.

Ms. Trujillo said he even offered to put up a sign for us. We were out of route stop signs.

Chair Romero appreciated her work and his contribution.

Mr. Mortillaro said they were not done with audits. The NMDOT Inspector General wanted to audit their pass-through federal funds that come to the District. Ms. Muniz was working with them on the audit. The FTA come February would also audit the district. So it was 5 audits in one year. And that was okay because it would put a line between what was past and what was going forward.

MATTERS FROM THE CHAIRWOMAN

- **Appointment of Secretary/Treasurer**

Chair Romero asked, with Councilor Wismer leaving the RTD, if the Board could postpone this matter until January when Councilor Geoff Rodgers would be present. The Board agreed.

- **Appointments for Chairpersons of the Tribal and Finance Subcommittees**

Chair Romero asked Tim Vigil to chair the Finance and Tesuque Pueblo to chair the Tribal Subcommittee. She thought Gov. Dorame would ask Sam Romero to do that.

She thanked Mr. Vigil for doing this. With his expertise and experience with Pojoaque he would do well.

MATTERS FROM THE BOARD

Commissioner Anaya suggested it wouldn't hurt to have multiple board members go to the audit exits. It was the chair's prerogative.

Chair Romero said she did invite the officers and would invite all board members so they could get further input.

Commissioner Mayfield thanked Mr. Mortillaro and staff for cleaning the shelters. He saw the article.

Councilor Seeds pointed out that the discussion on the parking lot had no decision.

Chair Romero said only a budget change request would bring it for a vote by the Board.

Mr. Mortillaro said if the option was within the budget we would move forward and if it was not, he would bring it to the Board.

Mr. Mortillaro and Chair Romero wished everyone a Merry Christmas.

MISCELLANEOUS

There were no miscellaneous items.

NEXT BOARD MEETING: January 6, 2011 at 1:00 p.m.

ADJOURNMENT

The meeting was adjourned at 3:45 p.m.

Approved by:

Rosemary Romero

Rosemary Romero, Chair

Attest:

Michael Wismer

Michael Wismer, Secretary

Submitted by:

Carl Boaz

Carl Boaz, Stenographer

Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012

Agenda Item - G

Title: Resolution No. 2012-13 authorizing the submittal of Applications for Federal Funding for §5311, §5316, and §5310 in Federal Fiscal Year 2014

Prepared By: Linda Trujillo, Service Development Manager

Summary: Approval for NCRTD staff to submit a letter of intent to NMDOT to file an application for three federal grants for Federal Fiscal Year 2014

Background: The NCRTD files for Federal grants that pass through the NMDOT each year. The §Section 5311 grant supplies funding for administrative, operating and capital for qualifying rural recipients. The §5316 is the Job Access and Reverse Commute grant to assist in public transportation for individuals that are at or below the national poverty level. This grant provides only operating funding. The §5310 grant is for qualifying elderly and ADA entities to purchase vehicles for their transportation section. The NCRTD will apply on behalf of its members upon request.

The letter of intent is due to the NMDOT by July 2, 2012 and must be filed in order to receive an application packet which will be due somewhere around August 2012.

Recommended Action: It is recommended that the Board approve Resolution No. 2012-13 which authorize' s staff to file the letter of intent so the appropriate applications can be filed in August 2012

Options/Alternatives: Not filing for these grants could substantially impact the budget by approximately two million dollars, plus capital awards.

Fiscal Impact: The grant funds are necessary to the annual budget to sustain existing routes.

Attachments:

Notice to interested parties from NMDOT

North Central Regional Transit District (NCRTD)

Resolution 2012-13

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A LETTER OF INTENT FOR §5311, §5316 AND §5310 FOR FEDERAL FUNDING FOR FEDERAL FISCAL YEAR 2014

WHEREAS, the North Central Regional Transit District wishes to submit a letter of intent in order to file an applications for §5311, §5316, and §5310 grant funding for the 2014 federal fiscal year; and

WHEREAS, the funding may be used for administrative, operating, and capital funding assistance for rural public transportation (§5311 and §5316) and capital for qualifying elderly and ADA entities (§5310); and

WHEREAS, the letter of intent is due to the Department of Transportation by July 2, 2012;

NOW THEREFORE BE IT RESOLVED by the North Central Regional Transit District, that it will be filing an application for three federal grants, §5311, §5316, and §5310.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 1st DAY OF JUNE 2012.

_____

Daniel Barrone, Chairman

Approved as to form:

_____

Peter Dwyer, Counsel

New Mexico DEPARTMENT OF TRANSPORTATION

APRIL 30, 2012

NOTICE TO INTERESTED PARTIES
FY 2014 FINANCIAL ASSISTANCE FOR
RURAL/NON-URBANIZED PUBLIC TRANSPORTATION 49 USC §5311,
SPECIAL NEEDS TRANSPORTATION FOR ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES 49 USC §5310, JOB ACCESS AND REVERSE COMMUTE 49 USC §5316, AND NEW FREEDOM PROGRAM 49 USC §5317

The New Mexico State Department of Transportation's Transit and Rail Division is accepting Letters of Intent from eligible organizations interested in applying for capital assistance to provide transportation to elderly individuals and/or individuals with disabilities (§5310); eligible organizations who wish to apply for administrative, operating and capital funding assistance for rural public transportation (§5311); eligible organizations who wish to apply for funding assistance for Job Access and Reverse Commute projects (§5316) or eligible organizations who wish to apply for funding assistance for New Freedom Program projects (§5317) from the Federal Transit Administration (FTA). A description of these grant programs, as well as others, is available at the FTA website: http://www.fta.dot.gov/funding/grants_financing_263.html

THIS NOTICE APPLIES TO FUNDING FOR THE 2014 FEDERAL FISCAL YEAR FOR §5310, §5311, §5316, and §5317 PROGRAMS
BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014.

Interested parties wishing to apply for assistance under §5310, §5311, §5316 and/or §5317 MUST return a Letter of Intent postmarked no later than July 2, 2012 to:

New Mexico Department of Transportation
Transit and Rail Division
c/o FY 2014 LOI – Marcy Eppler
P.O. Box 1149
Santa Fe, New Mexico 87504-1149

Letters of Intent must include:

1. Organization Name, Address, and Telephone Number.
2. Name, phone number and e-mail address of contact person.
3. Specify which application package(s) you are requesting (Section 5310, 5311, 5316, and/or 5317).

For further information on these programs, please contact Marcy Eppler at (505)827-5435

Susana Martinez
Governor

Alvin C. Dominguez, P.E.
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Debra Hicks
Vice Chairman
District 2

Dr. Kenneth White
Secretary
District 1

Ronald Schmeits
Commissioner
District 4

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

Financial Summary – June 1, 2012

- The District is at the 92nd percentile of the Fiscal Year.

- Due to fluctuations in GRT the Executive Director has decided to control spending for the last 2 months of the fiscal year. Due to these actions it is anticipated that the District will end the fiscal year with a small surplus. Only those purchases that are deemed to be essential and necessary will be allowed.

- Revenue received to date is 75.8% of budgeted revenues,
  - pending reimbursements from NMDOT for April
  - pending reimbursements from FTA for April
  - billing Tesuque Pueblo for the Tribal Transit reimbursement

- GRT Revenue
  - Is usually 2 months behind. Received GRT from the counties through March 2012 (this was received in May).
  - Los Alamos County GRT for the month of March was lower than anticipated.
  - Los Alamos is anticipating a decrease in GRT for next fiscal year.
  - Santa Fe County GRT has been higher than anticipated for this fiscal year.
  - Taos County GRT has fluctuated this fiscal year – the Month of March ,received about $5,000 more than budgeted.
  - Rio Arriba County GRT has been coming in right around the anticipated budget.

- Expenditures are not quite at the 92nd percentile due to:
  - Delay in the completion of the Transit Center in Espanola.
  - Staff is in the process of purchasing parts for pending shelters, these parts are needed to complete the installation of the shelter and this expense has not been processed yet.
  - Operating Expenses are lower than the 92% due to the fact that the District purchased new buses that are under warranty and have lower maintenance costs as a result.
  - Non-RTD Operating Expenses – District has just received the 3rd quarter invoice from Los Alamos County and is working with City of Santa Fe to get the 2nd and 3rd quarter invoices. The rail runner invoices continue to be paid on a monthly basis as we receive the revenue from Santa Fe County.

Other Financial Updates

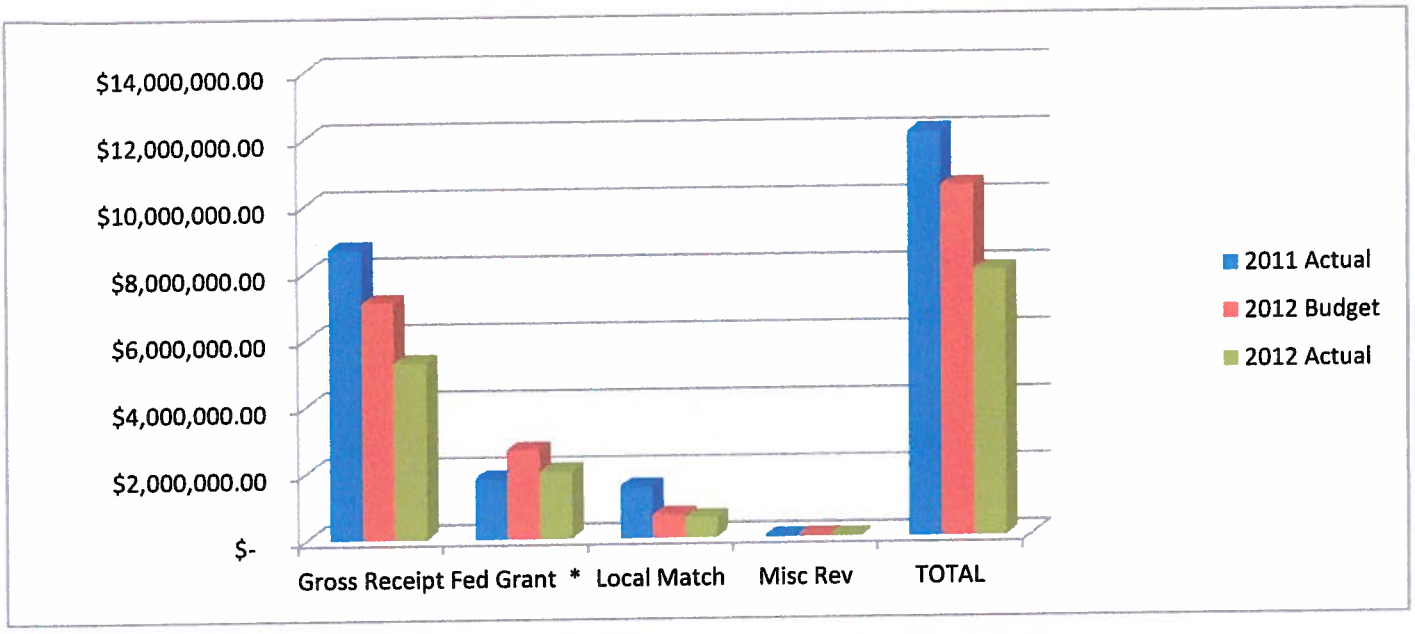
- Federal Transit Administration – Financial Management Overview
  - We have received the Draft Review Report and are currently working on the Management Responses that are due to the FTA by May 30. We will present the results to the Board in the near future.
- NM Department of Transportation – Office of Inspector General Audit
  - NM Dept. of Transportation audit – the auditor from the Inspector General has completed her work in our office. She is now compiling and gathering all the data collected. This audit goes back 4 years; covering the period from July 1, 2007 to September 30, 2011. As soon as this report is ready we will present it to the Board.
- Annual State Audit
  - The NCRTD will close is books on July 31. This will allow a month to prepare the books for our Annual State Audit to begin around September 1.

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

NCRTD Revenue by Sources

As of May 24, 2012

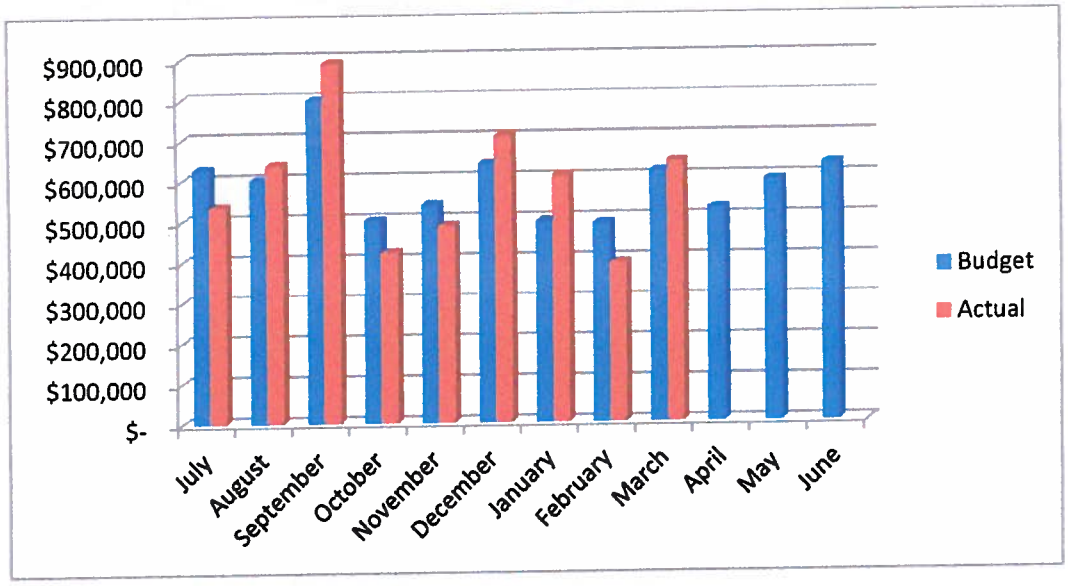


		2011 Actual		2012 Budget		2012 Actual	% of Actual vs budget
Gross Receipt	$	8,683,972.79	$	7,075,929.00	$	5,284,755.07	74.7%
Fed Grant *	$	1,806,302.04	$	2,654,582.00	$	1,999,959.81	75.3%
Local Match	$	1,540,000.00	$	679,173.00	$	600,000.00	88.3%
Misc Rev	$	28,716.34	$	40,000.00	$	34,250.27	85.6%
TOTAL	$	12,058,991.17	$	10,449,684.00	$	7,918,965.15	75.8%

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Gross Receipts Revenue Thru May 24, 2012



Budget to Actual FY2012

($ thousands)

	Budget	Actual	Actual Revenue % of Monthly Budget
July	$ 629,761	$ 537,428	85%
August	$ 603,758	$ 637,978	106%
September	$ 799,524	$ 890,381	111%
October	$ 502,282	$ 421,413	84%
November	$ 539,265	$ 487,320	90%
December	$ 639,028	$ 706,831	111%
January	$ 496,347	$ 607,499	122%
February	$ 491,010	$ 392,584	80%
March	$ 618,868	$ 641,741	104%
April	$ 526,774		
May	$ 595,163		
June	$ 634,149		
May 2012 YTD	**$ 7,075,929**	**$ 5,323,174**	**75%**

Prior Year vs. Current Year

($ thousands)

	Prior Year FY2011	Current Year FY2012	Inc/Dec from Prior Year to Current Year
July	$ 681,487	$ 537,428	$ (144,059)
August	$ 610,886	$ 637,978	$ 27,092
September	$ 879,235	$ 890,381	$ 11,146
October	$ 557,509	$ 421,413	$ (136,096)
November	$ 548,199	$ 487,320	$ (60,879)
December	$ 681,021	$ 706,831	$ 25,810
January	$ 514,956	$ 607,499	$ 92,543
February	$ 503,945	$ 39,284	$ (464,661)
March	$ 633,897	$ 641,741	$ 7,844
April	$ 535,321		
May *	$ -	$ -	
June *	$ -	$ -	
May 2012 YTD	**$ 6,146,456**	**$ 4,969,874**	**$ (641,261)**

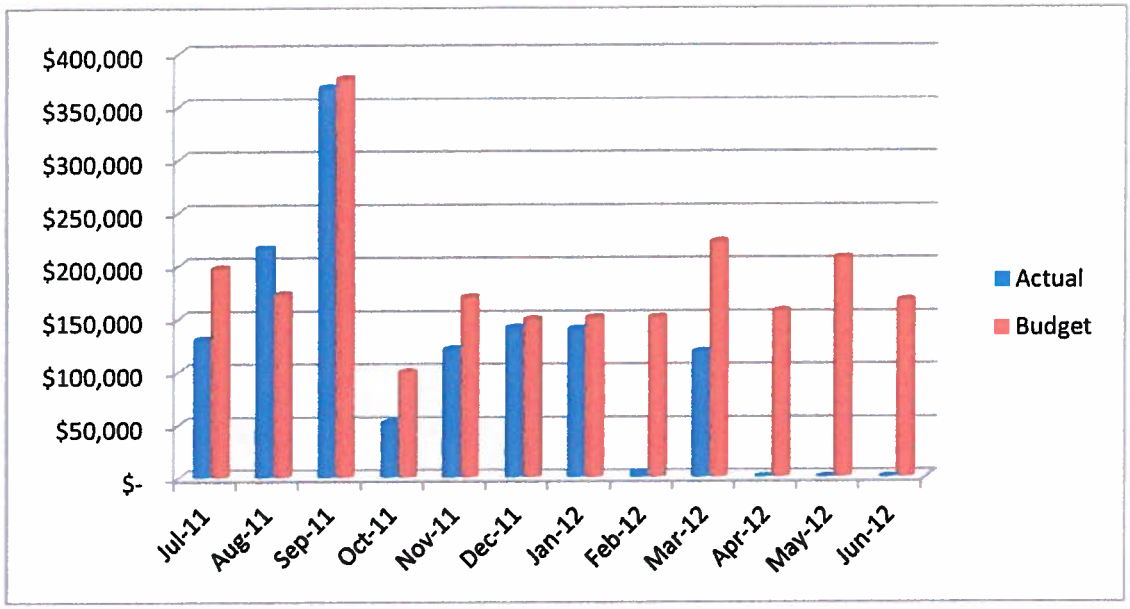
* Note in FY11 we only received 10 months of actual GRT due to the fact that the tax did not star until July of 2010 and GRT lags about 2 months behind

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Gross Receipts Revenue By County

LOS ALAMOS COUNTY



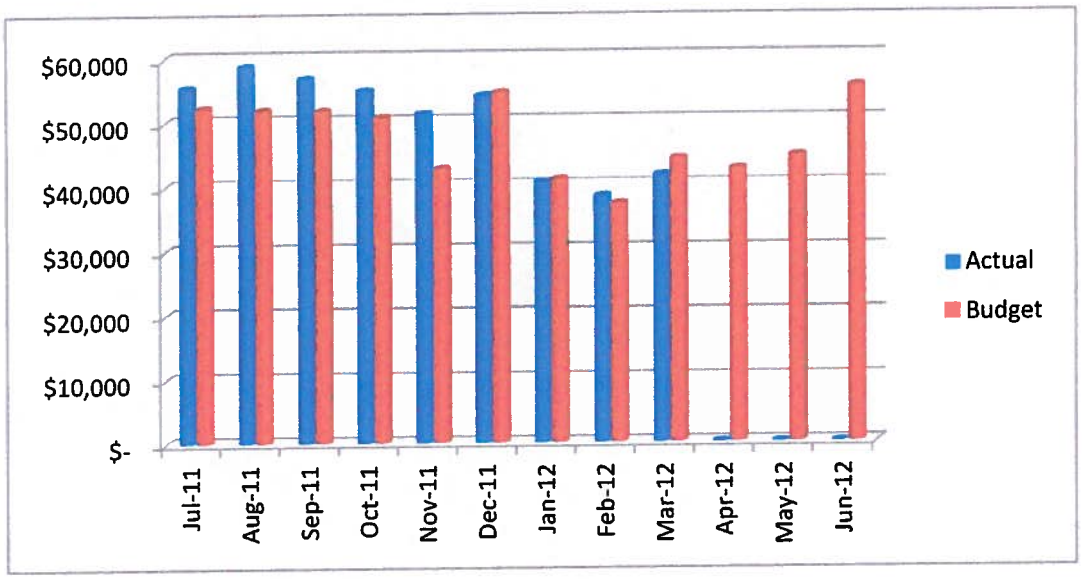
Date Received		Actual	Budget	Actual Revenue % of Monthly Budget
9/19/2011	Jul-11	$ 130,018	$ 196,543	66%
10/26/2011	Aug-11	$ 215,861	$ 172,528	125%
11/22/2011	Sep-11	$ 367,025	$ 375,711	98%
12/23/2011	Oct-11	$ 51,498	$ 99,157	52%
1/26/2012	Nov-11	$ 120,772	$ 169,430	71%
2/23/2012	Dec-11	$ 140,847	$ 148,735	95%
3/21/2012	Jan-12	$ 139,742	$ 150,174	93%
4/24/2012	Feb-12	$ 3,770	$ 150,395	3%
5/24/2012	Mar-12	$ 118,403	$ 221,554	53%
	Apr-12		$ 156,371	
	May-12		$ 206,503	
	Jun-12		$ 166,221	
	YTD Total	$ 1,287,935	$ 2,213,322	58%

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Gross Receipts Revenue By County

RIO ARRIBA COUNTY



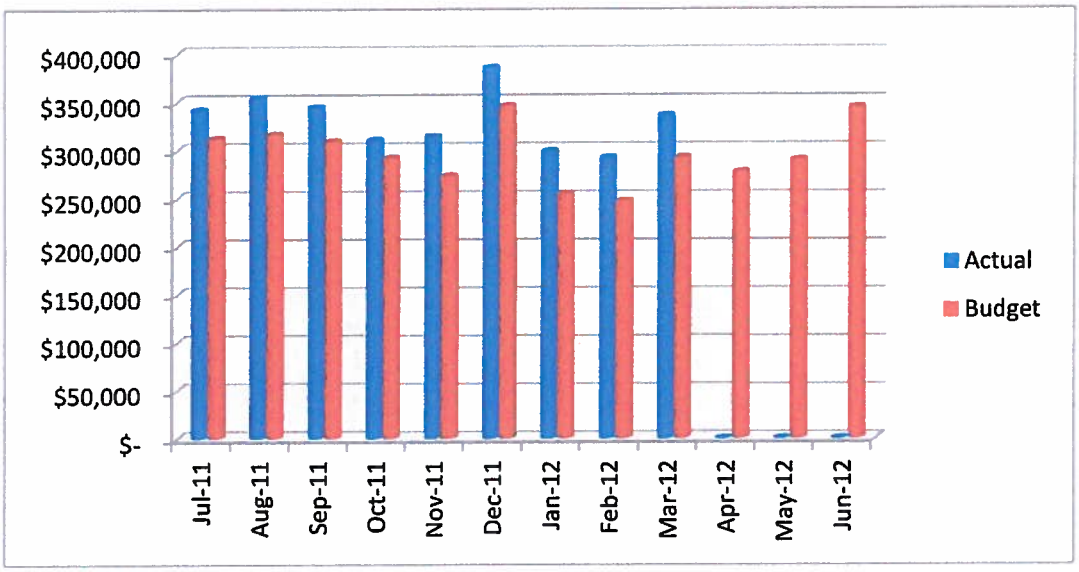
Date Received		Actual	Budget	Actual Revenue % of Monthly Budget
11/14/2011	Jul-11	$ 55,408	$ 52,248	106%
11/14/2011	Aug-11	$ 58,814	$ 51,907	113%
3/16/2012	Sep-11	$ 56,781	$ 51,764	110%
3/16/2012	Oct-11	$ 54,911	$ 50,656	108%
2/3/2012	Nov-11	$ 51,363	$ 42,696	120%
2/29/2012	Dec-11	$ 54,028	$ 54,550	99%
5/10/2012	Jan-12	$ 40,611	$ 41,019	99%
5/10/2012	Feb-12	$ 38,417	$ 37,153	103%
5/24/2012	Mar-12	$ 41,602	$ 44,146	94%
	Apr-12		$ 42,554	
	May-12		$ 44,516	
	Jun-12		$ 55,319	
	YTD Total	$ 451,934	$ 568,528	79%

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Gross Receipts Revenue By County

SANTA FE COUNTY



Date Received		Actual	Budget	Actual Revenue % of Monthly Budget
9/21/2011	Jul-11	$ 341,717	$ 311,575	110%
10/20/2011	Aug-11	$ 353,581	$ 316,188	112%
11/21/2011	Sep-11	$ 344,672	$ 308,913	112%
12/20/2011	Oct-11	$ 310,170	$ 291,347	106%
1/26/2012	Nov-11	$ 314,413	$ 272,539	115%
2/22/2012	Dec-11	$ 385,881	$ 345,997	112%
3/26/2012	Jan-12	$ 298,696	$ 253,909	118%
4/20/2012	Feb-12	$ 291,582	$ 246,811	118%
5/21/2012	Mar-12	$ 336,024	$ 291,525	115%
	Apr-12		$ 276,975	
	May-12		$ 289,396	
	Jun-12		$ 343,513	
	YTD Total	$ 2,976,736	$ 3,548,688	84%

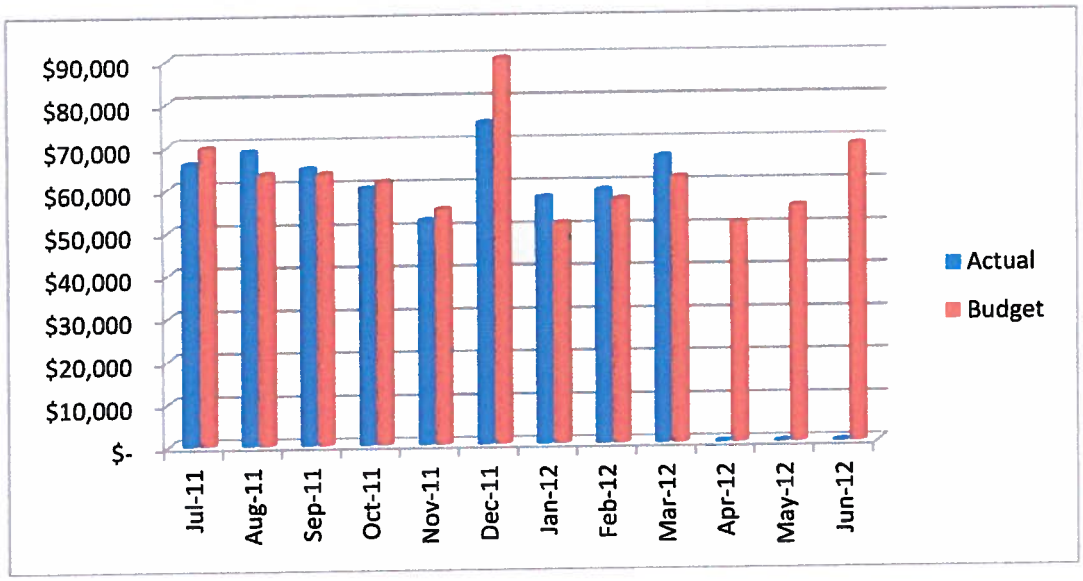
** Note one-half of the SF County GRT is allocated to Rio Metro

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Gross Receipts Revenue By County

TAOS COUNTY

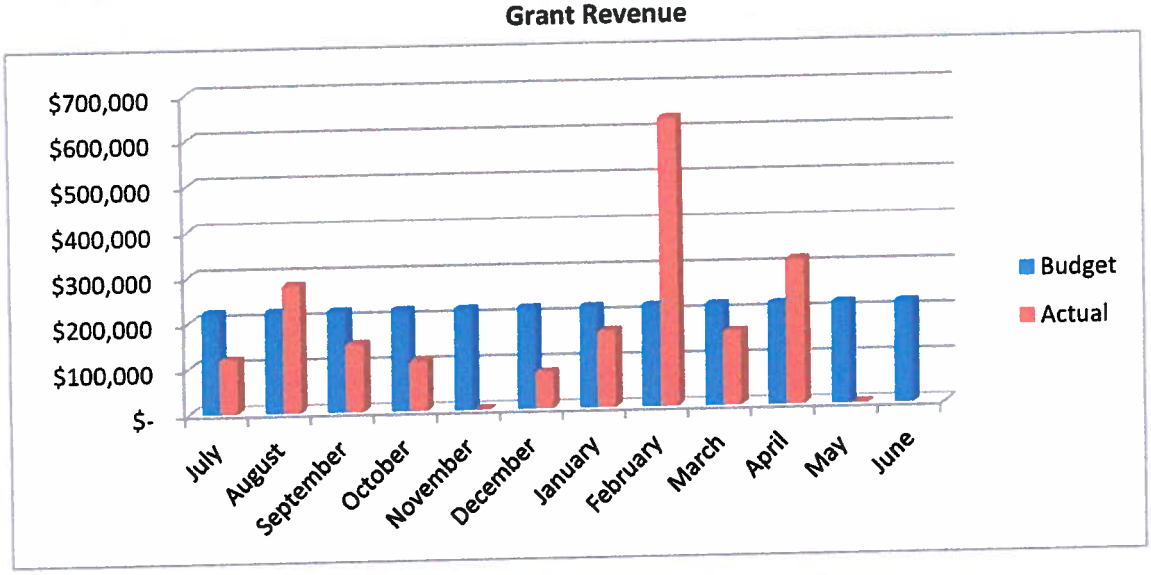


Date Received		Actual	Budget	Actual Revenue % of Monthly Budget
9/21/2011	Jul-11	$ 65,693	$ 69,396	95%
10/20/2011	Aug-11	$ 68,537	$ 63,135	109%
11/23/2011	Sep-11	$ 64,462	$ 63,135	102%
12/22/2011	Oct-11	$ 59,745	$ 61,122	98%
1/20/2012	Nov-11	$ 52,134	$ 54,600	95%
2/22/2012	Dec-11	$ 74,712	$ 89,745	83%
3/21/2012	Jan-12	$ 57,367	$ 51,246	112%
4/19/2012	Feb-12	$ 58,815	$ 56,650	104%
5/24/2012	Mar-12	$ 66,684	$ 61,644	108%
	Apr-12		$ 50,873	
	May-12		$ 54,749	
	Jun-12		$ 69,096	
	YTD Total	$ 568,150	$ 745,391	76%

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Grant Revenue



Budget to Actual FY2012
($ thousands)

	Budget	Actual	Actual Revenue % of Monthly Budget
July	$ 221,215	$ 117,255	53%
August	$ 221,215	$ 277,214	125%
September	$ 221,215	$ 147,307	67%
October	$ 221,215	$ 106,559	48%
November	$ 221,215	$ -	0%
December	$ 221,215	$ 78,638	36%
January	$ 221,215	$ 166,375	75%
February	$ 221,215	$ 630,114	285%
March	$ 221,215	$ 160,966	73%
April	$ 221,215	$ 315,532	143%
May	$ 221,216	$ -	0%
June	$ 221,216		
May 2012 YTD	**$ 2,654,582**	**$ 1,999,959**	

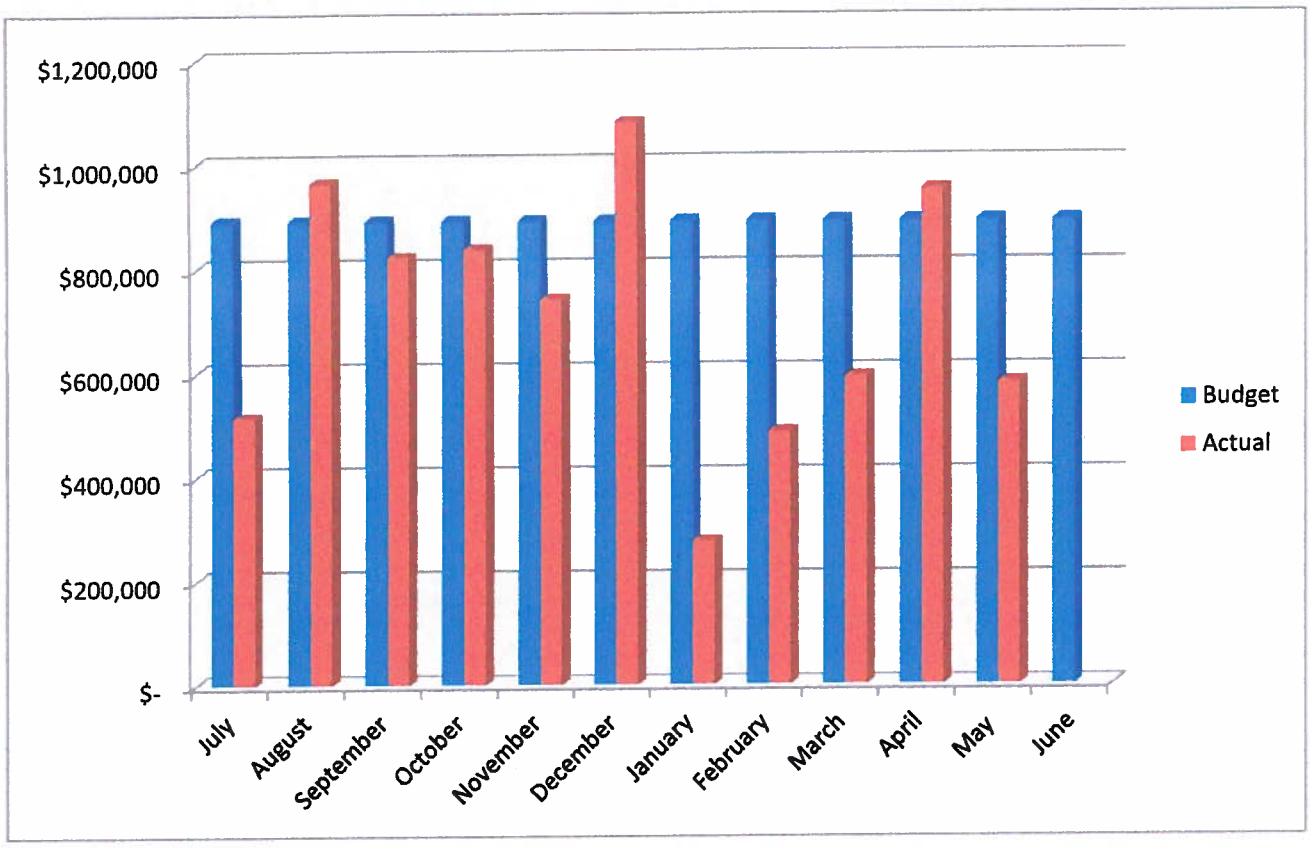
Prior Year vs. Current Year
($ thousands)

	Prior Year FY2011	Current Year FY2012	Inc/Dec from Prior Year to Current Year
July	$ 163,386	$ 117,255	$ (46,131)
August	$ 84,915	$ 277,214	$ 192,299
September	$ 115,647	$ 147,307	$ 31,660
October	$ 84,949	$ 106,559	$ 21,610
November	$ 148,331	$ -	$ (148,331)
December	$ 126,966	$ 78,638	$ (48,328)
January	$ 94,937	$ 166,375	$ 71,438
February	$ 8,241	$ 630,114	$ 621,873
March	$ 189,863	$ 160,966	$ (28,897)
April	$ 94,204	$ 315,532	$ 221,328
May	$ 207,289	$ -	$ (207,289)
June	$ 440,980		
May 2012 YTD	**$ 1,759,708**	**$ 1,999,959**	

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

NCRTD BUDGET EXPENDITURES OVERALL



Budget to Actual FY2012
($ thousands)

		Budget		Actual		Inc/Dec of Budget vs Actual	
	July	$ 891,640	$	513,656	$	377,984	
	August	$ 891,640	$	963,643	$	(72,003)	
	September	$ 891,640	$	821,573	$	70,067	
	October	$ 891,640	$	836,426	$	55,214	
	November	$ 891,640	$	739,593	$	152,047	
	December	$ 891,640	$	1,080,601	$	(188,961)	
	January	$ 891,640	$	275,156	$	616,484	
	February	$ 891,640	$	485,137	$	406,503	
	March	$ 891,641	$	591,099	$	300,542	
	April	$ 891,641	$	950,846	$	(59,205)	
**	May	$ 891,641	$	579,353	$	312,288	
	June	$ 891,641					
	May 2012 YTD	**$ 10,699,684**	**$**	**7,837,083**	**$**	**2,862,601**	**73%**

TOTAL NCRTD Budget $ 10,699,684

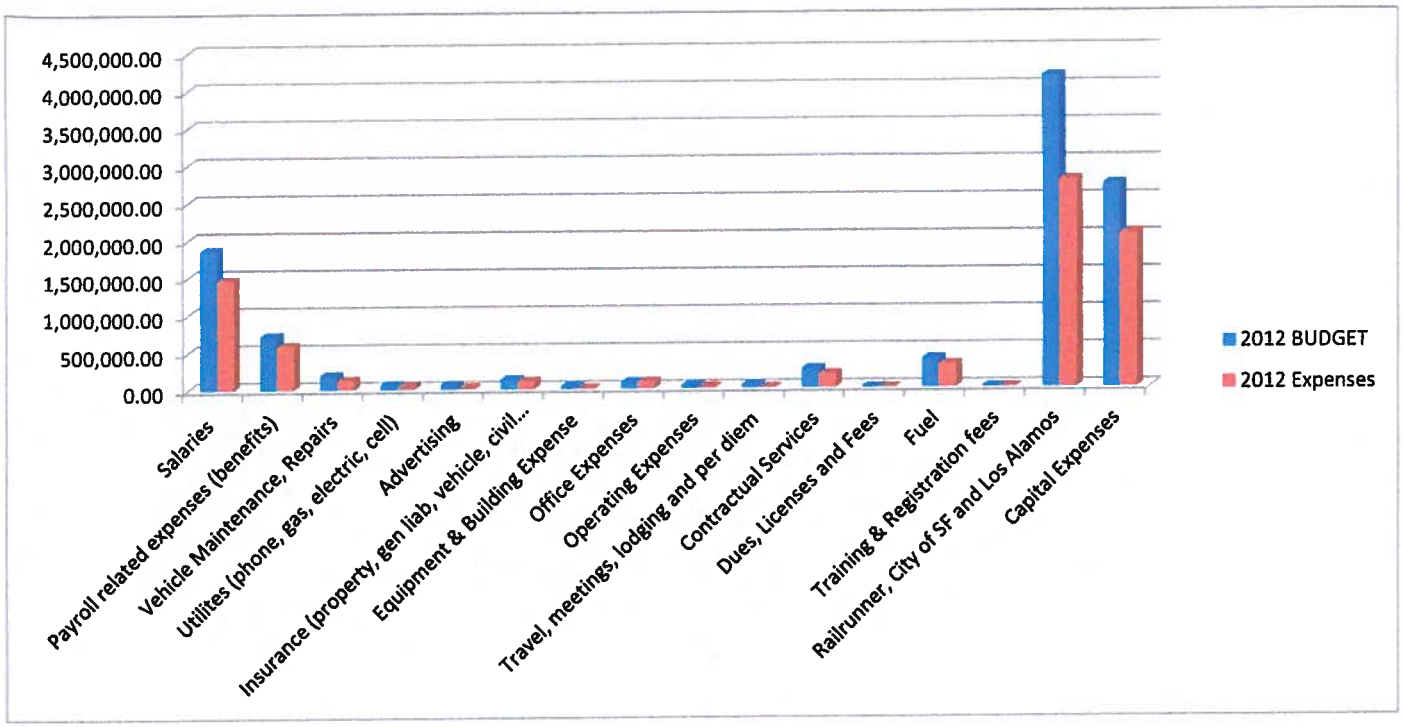
** Not a final number. Documents are still being processed

MONTHLY BC... REPORT

FY2012 (July 1, 2011 to June 30, 2012)

NCRTD Expenses by Type

May 24, 2012



Comparative Expenses by Type

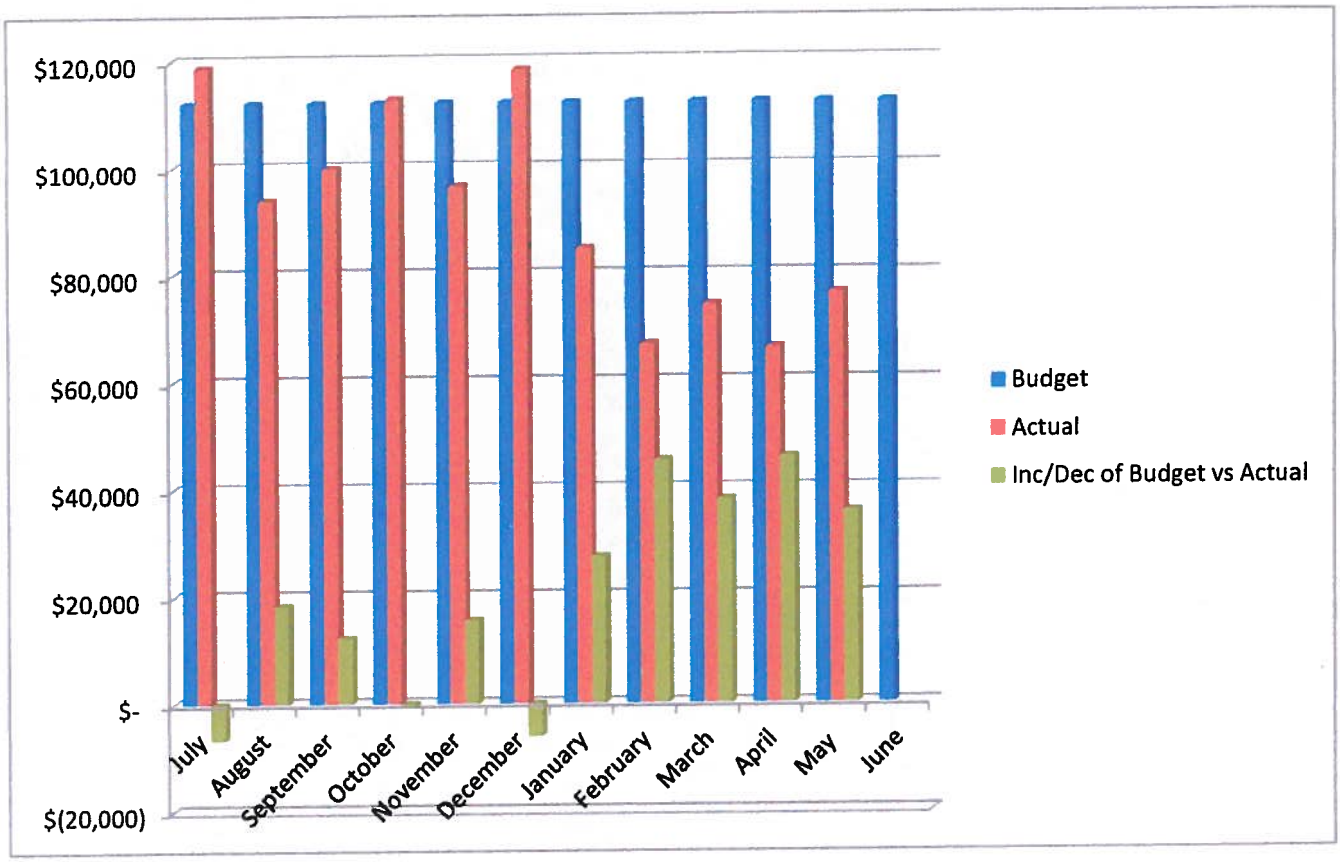
	2012 BUDGET	2012 Expenses	YTD Budget Variance - 92%
	$	$	
Salaries	1,858,672.00	1,461,467.51	78.6%
Payroll related expenses (benefits)	713,890.00	579,430.64	81.2%
Vehicle Maintenance, Repairs	189,000.00	122,786.69	65.0%
Utilites (phone, gas, electric, cell)	60,260.00	30,144.16	50.0%
Advertising	55,000.00	14,800.67	26.9%
Insurance (property, gen liab, vehicle, civil rights)	127,939.00	96,624.48	75.5%
Equipment & Building Expense	28,400.00	10,743.81	37.8%
Office Expenses	79,676.00	85,305.31	107.1%
Operating Expenses	30,900.00	16,300.76	52.8%
Travel, meetings, lodging and per diem	36,600.00	9,986.51	27.3%
Contractual Services	254,600.00	181,052.97	71.1%
Dues, Licenses and Fees	6,100.00	2,026.00	33.2%
Fuel	382,001.00	309,754.86	81.1%
Training & Registration fees	7,525.00	6,270.61	83.3%
Railrunner, City of SF and Los Alamos	4,157,160.00	2,767,994.58	66.6%
Capital Expenses	2,712,261.00	2,036,325.61	75.1%
TOTAL	10,699,984.00	7,731,015.17	72.3%

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Administration Expense Summary

Year to Date Budget Variance - 92%



Budget to Actual FY2012
($ thousands)

	Budget	Actual	Inc/Dec of Budget vs Actual	YTD Budget Variance - 92%
July	$ 112,226	$ 118,824	$ (6,599)	
August	$ 112,226	$ 93,923	$ 18,302	
September	$ 112,226	$ 99,915	$ 12,311	
October	$ 112,226	$ 112,867	$ (642)	
November	$ 112,226	$ 96,559	$ 15,667	
December	$ 112,226	$ 118,295	$ (6,070)	
January	$ 112,226	$ 84,836	$ 27,389	
February	$ 112,226	$ 66,910	$ 45,316	
March	$ 112,226	$ 74,211	$ 38,014	
April	$ 112,226	$ 66,273	$ 45,952	
** May	$ 112,226	$ 76,455	$ 35,770	
June	$ 112,226			
February 2012 YTD	**$ 1,346,706**	**$ 1,009,070**		**74.9%**

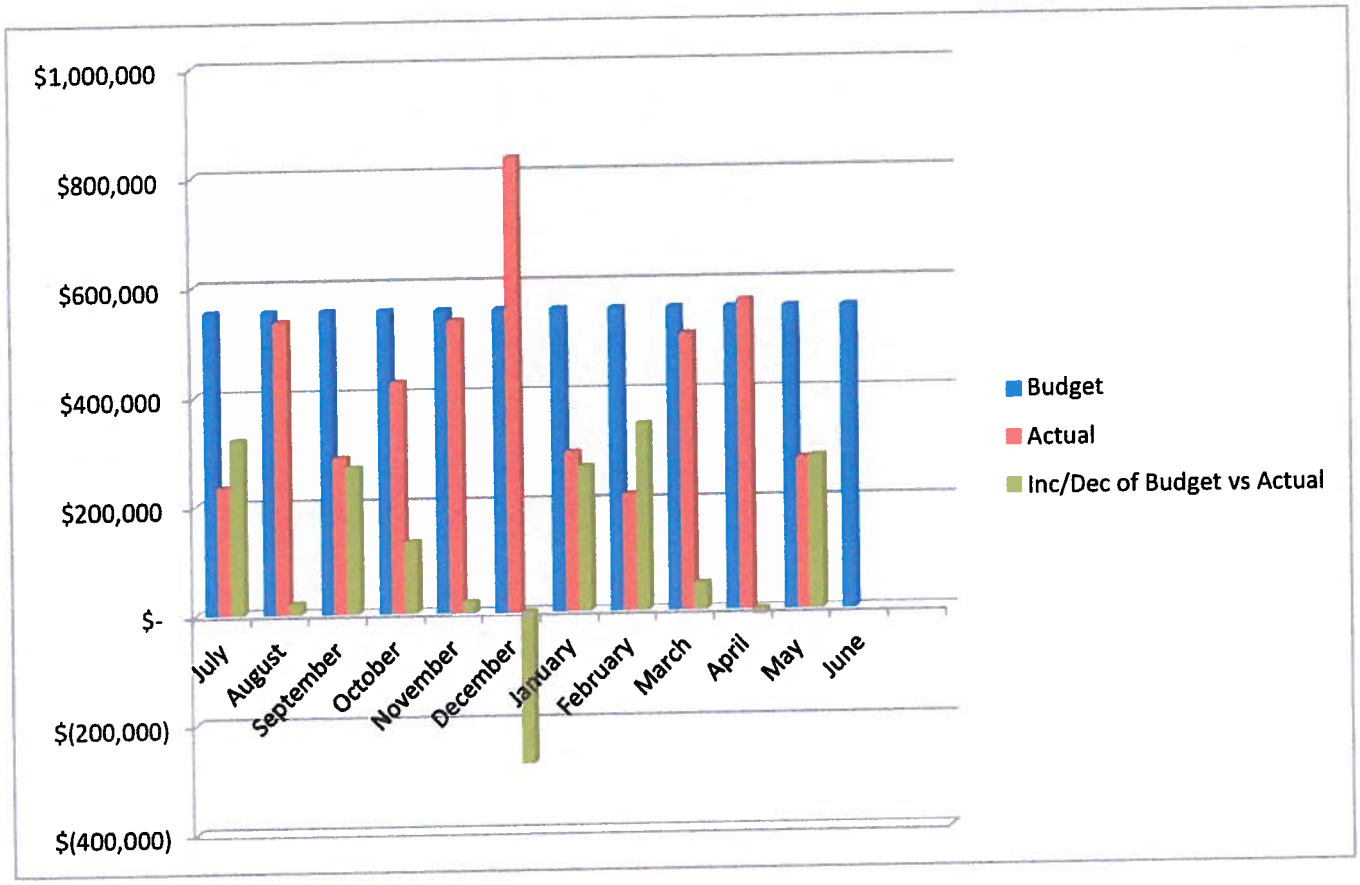
** Still processing documents. Not a final number

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Operating Expense Summary

Year to Date Budget Variance - 92%



Budget to Actual FY2012
($ thousands)

		Budget		Actual		Inc/Dec of Budget vs Actual	YTD Budget Variance - 92%
	July	$ 553,393	$	233,373	$	320,020	
	August	$ 553,393	$	534,427	$	18,966	
	September	$ 553,393	$	285,668	$	267,725	
	October	$ 553,393	$	421,878	$	131,515	
	November	$ 553,393	$	533,302	$	20,091	
	December	$ 553,393	$	830,383	$	(276,990)	
	January	$ 553,393	$	290,318	$	263,075	
	February	$ 553,393	$	212,341	$	341,052	
	March	$ 553,393	$	503,934	$	49,459	
	April	$ 553,393	$	564,853	$	(11,460)	
**	May	$ 553,393	$	275,143	$	278,250	
	June	$ 553,393					
	February 2012 YTD	$ 6,640,716	$	4,685,620			70.6%

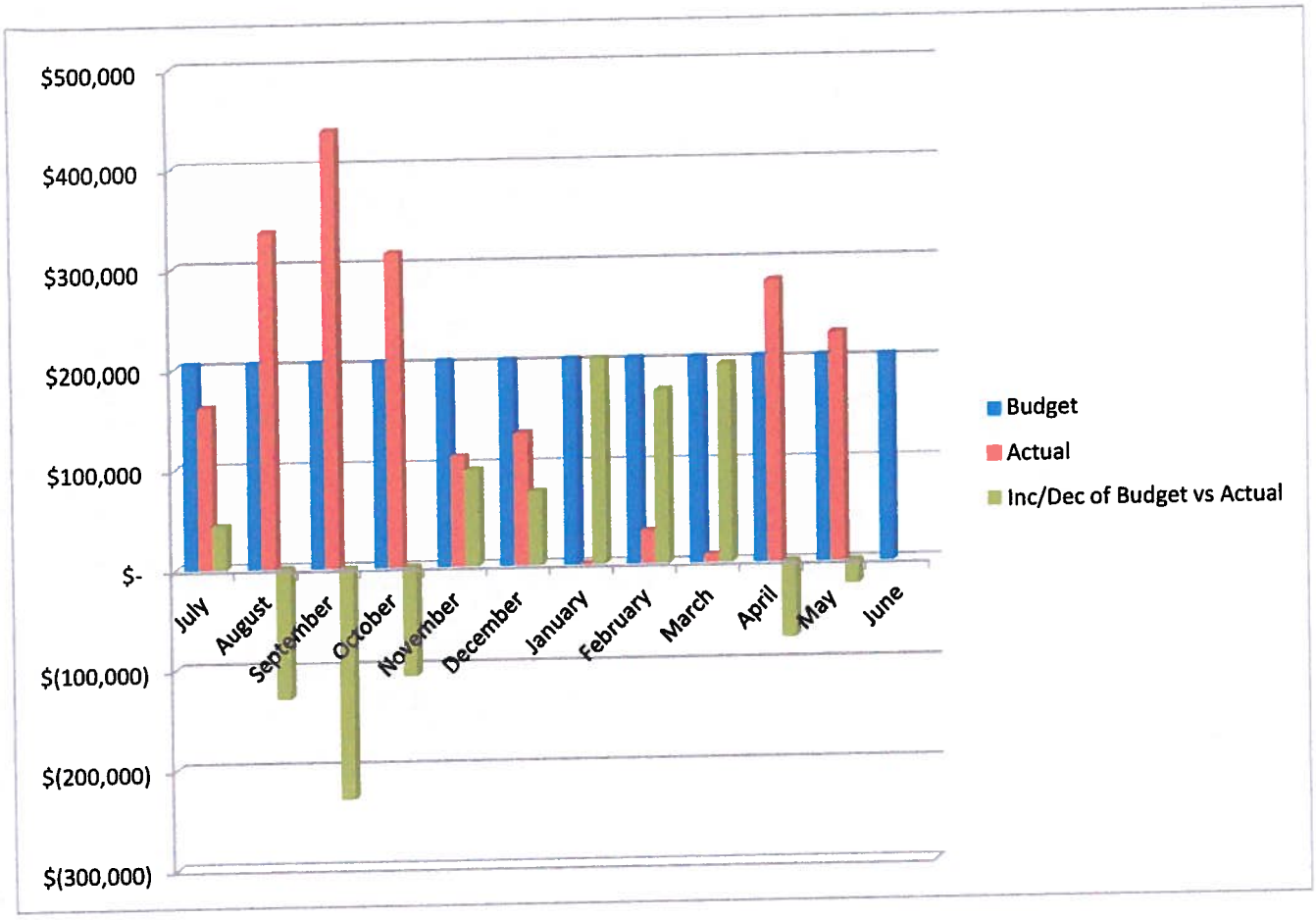
** Still processing documents. Not a final number

MONTHLY BOARD REPORT

FY2012 (July 1, 2011 to June 30, 2012)

Capital Expense Summary

Year to Date Budget Variance - 92%



Budget to Actual FY2012
($ thousands)

	Budget	Actual	Inc/Dec of Budget vs Actual	YTD Budget Variance - 92%
July	$ 205,188	$ 161,459	$ 43,729	
August	$ 205,188	$ 335,292	$ (130,104)	
September	$ 205,188	$ 435,990	$ (230,802)	
October	$ 205,188	$ 313,674	$ (108,486)	
November	$ 205,188	$ 109,732	$ 95,456	
December	$ 205,188	$ 131,625	$ 73,563	
January	$ 205,188	$ -	$ 205,188	
February	$ 205,189	$ 32,433	$ 172,756	
March	$ 205,189	$ 7,749	$ 197,440	
April	$ 205,189	$ 280,617	$ (75,428)	
** May	$ 205,189	$ 227,755	$ (22,566)	
June	$ 205,189			
February 2012 YTD	**$ 2,462,261**	**$ 2,036,325**		**82.7%**

** Still processing documents. Not a final number

North Central Regional Transit District (NCRTD)

Minutes of the Finance- Sub-Committee Meeting
April 27, 2012

NCRTD Conference Room
Santa Fe, NM 87507
9:00 am – 11:00 am

ROLL CALL:
At 9:15 am Chairman Tim Vigil asked Kelly Muniz to take roll.

Members Present:	
Pueblo of Pojoaque	Tim Vigil, NCRTD Finance Committee Chair
Los Alamos County	Councilor Geoff Rodgers (telephonically)
Taos County	Jacob Caldwell (telephonically)
Santa Fe County	Commissioner Kathy Holian

Members Absent:
Rio Arriba County

NCRTD Staff Members Present:
Anthony Mortillaro, Executive Director
Kelly Muniz, Financial Manager
Jim Nagle, Public Information Officer
Linda Trujillo, Service Development Manager
Gus Martinez, Fleet/Facility Maintenance
Mike Kelly, Transit Operations Manager
Pat Lopez, Financial Analyst

Guests:
Jon Bulthuis, City of Santa Fe

Chairman Vigil asked if there were any changes to the agenda or if anyone had anything else to add.

Chairman Vigil turned the meeting over to Mr. Mortillaro

ITEMS FOR DISCUSSION/RECOMMENDATION:

A. Draft FY13 Budget
Presented by Anthony Mortillaro

Mr. Mortillaro explained the format for the presentation will be different than the members have seen in the past. In the past our budget document was all of 2 pages this year it is broken out into departments and we feel this is better for staff since now the department managers can be responsible for managing their own department budget. Mr. Mortillaro states he will give a brief overview, then we present revenue projections and he has asked his department managers to be present so they can present their budgets. We will then go over capital and the long range financial plan update. Mr. Mortillaro stated he selected the moderate option to present to the members for the long range financial plan

Mr. Mortillaro indicated that the federal revenue numbers are correct now since the NMDOT has just presented its award for FY 13 to its recipient's. Mr. Mortillaro then asked Pat Lopez to go over the gross receipts projections. Mr. Lopez explains that we have seen a 11.5% decrease from Los Alamos county. Some of this decrease is from the Los Conchas fire and due to a one-time credit that the Lab took in the month of February. We projected $150,395 but actually received $3,769.59. Based on our projections for first seven months of the fiscal year we anticipate receiving about 11% less than what was budgeted for March thru June and we have anticipated receiving 11% less as well for the rest of the fiscal year. So for Los Alamos County we are looking at a deficit in gross receipts of $375,712.59 for FY12. In our FY13 revenue we have used the projection given to us by Los Alamos County of $1,982,000. This calculates to be a 11 – 12% decrease in FY13 from FY12.

Mr. Mortillaro states that one thing Pat has done is he communicates with Steve Lynn who is the Chief Financial Officer in Los Alamos and Steve stays in close touch with the labs. The FY13 number is a number that Los Alamos is comfortable with. Part of our challenge is how the state handles gross receipts and credits. A taxpayer will pay taxes, then taxes are distributed to entities who rely on the amount and these figures are put into a budget and get spent, then sometime later they give credits. This credit that was given to the lab really hit us and Los Alamos County hard. Mr. Mortillaro states that we will be okay since we have reserves and we are leveling out our spending over the next couple of months.

Mr. Lopez reviewed the Rio Arriba County GRT. So far in FY12 we have received 7.42% more than projected for FY12. He states for the first five months Rio Arriba was above the projected numbers but in December they leveled off to what the budget was, therefore the FY12 projected ending revenue indicates a $28,339.97 surplus. The FY13 projection is conservative and that means a 2% increase over our operating budget. The reason we did not want to go with the 7.42% is because the last three months have leveled off to about the 2% increase and we want to be conservative.

Mr. Lopez indicates that Santa Fe County has really saved us since they are doing well with GRT Revenues. We are currently at a 12.5% budget variance which means we have generated 12.5% more than what was anticipated for FY12. We are looking at a surplus of $443,608.18 but keep in mind that half of this goes straight to the Rail Runner which would leave us with a surplus of $221,804.09. As for FY13 we are again being conservative in anticipation of revenues that may not come in from other areas so we are projecting a 5% increase from our FY12 budget. We are anticipating $3,726,100 from Santa Fe County for GRT.

For Taos County, Mr. Lopez indicates that we are 1.49% less than anticipated for FY12. We are also assuming a 1.5% decrease for the rest of the fiscal year. We are anticipating to have a $15,836.59 deficit in the FY12 projected GRT. With regards to FY13 we are anticipating to receive $725,700 which is about 1% less than our FY12 anticipated operating budget.

Mr. Lopez explains that if you total everything for FY12 we are looking at a deficit of $141,405.12. Overall our FY12 operating budget was $7,075,929 and we are anticipating to receive $7,156,328 which would actually give us a surplus of $80,399 but since we have to give half of the Santa Fe County GRT to the Rail Runner we will be short revenue in the amount of $141,405.

Mr. Lopez states technically we can do a revenue increase with total GRT dollars and increase our budget by $80,399 but then we have to send $221,804 to the Rail Runner. We are instead going to look at reduced spending along with vacancy savings we feel confident that we can make up the $221,804 without asking for an increase. Our overall FY13 projection is slightly less than our FY12 operating.

Mr. Mortillaro states that being conservative for FY 13 plays well in our favor and that we would hope to be pleasantly surprised at the end of the year instead of scrambling at the end of the year with revenues that did not materialize. He also states that we will continue to deliver services in the same fashion or better.

Mr. Lopez goes reviewed the Financial Summary page.. He explains that we received an increase from NMDOT for our 5311 and 5316 grants. We are budgeting cash balance which is actually carryover from the construction of the building. Mr. Mortillaro states that this is a place holder for the building construction. If we don't pay all the construction bills by July 31 then we will need this cash balance to pay the remaining construction bills in FY13. This is needed due to the timing of our fiscal year end and the opening of the building. We are planning on closing out the fiscal year on July 31 and we hope to have all the construction bills paid by end of June.

Mr. Lopez states if you compare the FY13 budget to the FY12 budget there is an 11.8% decrease. Mr. Mortillaro state that concludes our discussion on the revenue sources and that staff is available for questions.

Chairman Vigil asks the member if there are any questions. Commissioner Holian asks about the decrease and if some of it is due to less capital expenditures. She wants to make sure it is not totally operating expenses that are decreasing. Mr. Lopez states yes a lot of the decrease is due to less capital outlay. Jon Bulthuis asks if the 5311 and 5316 amounts have been appropriated by

the NMDOT. Mr. Mortillaro states yes we have received notification from the NMDOT through our award letters.

Mr. Mortillaro states he would like to review positions. We are hoping to have more history on positions when we present to the board. At this point this is what we are requesting for FY13. You will notice that there is a difference from the actual number of positions and the Full Time Equivalent (FTE) when you factor the part-time positions and temporary hours, it is a total of 50.1 FTE's. We are not reducing the number of employees we are just translating it to more common terminology. In actuality we are asking for 2 additional positions, we are looking for custodial and fleet/facility maintenance.

Commissioner Holian asks if the number of FTE includes the 2 rider drivers and Mr. Mortillaro states yes it does, they are 2 part-time positions that converts to 1 FTE without benefits.

Mr. Mortillaro states the next page is a more detailed breakdown of our funds, it shows you what we are requesting in terms of Admin/Operating and Capital. Mr. Mortillaro states instead of going over the sheet titled Expense Roll-up we will present the department budgets which will roll-up to this sheet.

Chairman Vigil asks if there are any questions with regards to the revenue presentation.

Mr. Mortillaro presents the Administration budget; he states this is for the Executive Director, Public Information Officer, Special Projects Manager and Executive Assistant positions and any expenses of the Board. Mr. Mortillaro asks Jim Nagle to explain what the Public Information Office is planning for the FY13 budget year.

Mr. Nagle explains that we want to go more into the communities that we serve instead of going with a large ad campaign that won't reach our customers. We will have some special events like the grand opening of the transit center. We are participating in National Train Day and that 90% of the advertising budget will go towards advertising and increasing awareness to customers.

Mr. Mortillaro goes over some of the expense lines that increased. Meals and Meeting expenses will go up since we will have to now provide for board meetings instead of relying on our members who were hosting us for board meetings. Printing increased due to need to have uptodate schedules and brochures. Staff is currently working on making the brochures and schedules easier to read. We also have to have a new service plan with associated printing. . Furniture and Equipment has gone down but we do anticipate needing to purchase fire proof file cabinets. None of our files are fire proof now and we have documents that should be in fire proof cabinets.

Chairman Vigil asks if we have any thought about going paperless and scanning our documents. Mr. Mortillaro states not yet but we will start to transition towards that. Our technology needs to be set up and established. Commissioner Holian asks if we have back-ups. Mr. Mortillaro states no, if something happens our documents are gone. The new building does not have a fire suppression system and that is why we will need to purchase fire proof filing cabinets.

Mr. Mortillaro states that Training/Mileage and Per Diem stayed at the same level as FY12. Contractual Services is up but the majority of that cost is for the contractor to do our new service plan we anticipate it will run $150,000. Our current plan expires in 2013 and these plans take a long time to develop and are intensive public input efforts. It also includes some contract money for the Phase II of the building which was grant funded at 50%. There is money for a legislative monitoring contract, some miscellaneous Human Resource contracts and for phase II of the building.

Chairman Vigil asks if there are any questions on the Administration Budget.

Mr. Mortillaro asks Kelly Muniz to present the Finance Budget. Ms. Muniz states that the finance budget is pretty straight forward. Ms. Muniz states for Finance contractual services we have to budget for the annual state audit and for our portion of the moving costs. Ms. Muniz states historically we have never budgeted for any bank fees or penalties and interest. She points out that in FY12 there are the penalties and interest and this is due to playing catch-up this past year on all the federal and state reporting that was not done timely. She states that the NCRTD is now current and other than bank service charges there should not be much in terms of penalties and interest for FY13.

Ms. Muniz states that the line item for software is a slight increase due to the annual fee for our accounting/human resource software going up. This is an annual fee that we have to pay to get all the updates and to keep our software current. Equipment rental is going up only because this is the monthly fee for our copier. Equipment repair & Maintenance increased because we have 4 printers in finance that are not covered by any service contract and if these go down then we can't print checks. Janitorial we did have to budget $1,000 to cover the month of July cleaning and the fee to clean up after we move out. Office supplies went up to cover the toners for our individual printers and check printer. Training went up as there are some compliance classes we need to take in finance/accounting/payroll. Our mileage/fares went up due to the fact that we are going to be stationed in Espanola and most training will take place in Albuquerque.

Chairman Vigil asks if any questions on the Finance Budget.

Chairman Vigils asks how we are going to present the budget to the full board. Mr. Mortillaro states just like today. We will go over revenues and then each manager will present their individual department budget.

Mr. Mortillaro states the next department has three budgets to present. This one is broken out into Operations Administration, Operations Drivers and Fleet/Facility. Mr. Mortillaro asks Mike Kelly the Transit Operations Manager to go over these budgets.

Mr. Kelly explains that the contractual services amount is for the cost of moving the Espanola staff and office to the new facility. There are three positions in the Operations Administration, the Transit Operations Manager, the Service Development Manager and the Operations Analyst. Equipment Rental is the monthly fee for the Operations copier. The rest of the line items stayed pretty much flat.

Chairman Vigil asks if there are any questions on the Operations Administration budget.

Mr. Kelly goes over the Operations Drivers budget. There are 37.1 FTE in the drivers' budget; this included the 2 rider drivers and 2 supervisors. Mr. Kelly states most of these line items stayed flat that there were a few increases that were offset by decreases in other line items. The one line item that we budgeted different is in the drug and alcohol testing. The NMDOT does our random testing and we decided to break this out since it is money we don't get to spend as the NMDOT charges it back to us. Uniforms have increased we want to present a unified front to our customers and feel that $400 a year per driver is a reasonable amount to do this.

Commission Holian asks if our overtime may go down depending on the sick leave policy that the employees choose. Mr. Kelly states it is something we are looking at. He understands we have experienced a lot of overtime in the past and feels that it is just a part of doing business. Since we are providing a service we need to run the routes. Mr. Mortillaro states we budgeted $62,400 in FY12 and kept that flat in FY13.

Chairman Vigil asks if there are any questions.

Mr. Kelly states the final budget is the Fleet/Facility budget and he is going to let Gus Martinez the Fleet/Facility Manager go over this budget.

Mr. Martinez states the major item here is the Utility line item. He has done some research with some other businesses in Espanola that have a similar facility and with the County Offices as well to try and get a cost analysis as to what they pay each month for utilities. The average is about $4,200 a month. The other item is Fuel the expectation is that diesel will be $5.00 a gallon.

Mr. Martinez states that currently Wright Express is who everyone uses but the problem is we pay retail and that fuel taxes are not backed out when in essence we are tax-exempt. We are doing research to see if we can put a fuel facility at the new building. If we can get our own bulk fuel we will save as well. Until we get to that point there is a possible contract to get bulk fuel using a credit card from a local vendor where they can back out the taxes.

Mr. Martinez states that there are alternative fuels like propane and CNG. Currently a gallon of CNG is $1.70 and propane is $2.45. We are currently writing specs for our new buses and we are going to ask for costs on these alternative fuels. Commissioner Holian asks if we can use our current buses with the alternative fuels. Mr. Martinez states no because the conversion would cost $10,000 or more to change our current buses. The alternative fuels would only be on new buses we purchase. Mr. Kelly states we have budgeted just over $100,000 for a fuel facility in the FY13 budget.

Councilor Rodgers asks if there was any comparison for the custodial services to determine if it is best to hire or contract out this work. Mr. Mortillaro states not yet but that we are working on it. What the plan is before the custodial position is filled is that would develop an RFP for contractual services so that way we have some comparison and then a decision would be made.

If we choose to go contractual we will adjust the budget and move that cost to contractual services.

Chairman Vigil asks if we would have to train someone to dispense fule. Mr. Martinez states yes all drivers would have to be trained and get certifications.

Councilor Rodgers stated when he was in charge of transportation they found that the CNG has a loss of power due to our altitude and just wants us to keep that in mind. Mr. Kelly states yes, but with all the changes this issue has been taken care of.

Jon Bulthuis asks about property insurance. He states it looks like it has held steady at about $29,000 and wondered why? Ms. Muniz states we have just gotten the renewal from NM Self Insurer's fund and all our structures are covered, the building, the property, the bus shelters. Currently the only thing not on our renewal is the contents of the building but we have been insuring the building for the last 2 years. There may be a slight increase depending on the contents value. We are just now going through renewal and it may change as we submit our changes to the insurance company.

Mr. Martinez states the other increase is the Painting line item, we have some older buses that need new decals and some paint touch up.

Chairman Vigil asks if there are any questions.

Mr. Mortillaro states that the next budget is what we are calling Operations Non – RTD and that these are expenses we incur based upon the funding of regional services that are provided by other member entities. We kept the current formula for the City of Santa Fe and Los Alamos County which is 20% of GRT to Los Alamos County, 14% to City of Santa Fe and 26% to Rail Runner.

Jon Bulthuis stated he would like to thank the NCRTD staff in keeping the consistency of the funding. He appreciates being able to have this consistent funding for his budget and operating needs and he would like to work with the NCRTD on promotional issues. Mr. Mortillaro thanks Mr. Bulthuis and states that, yes we will work with the City of Santa Fe.

Mr. Mortillaro states the next topic is capital. Currently our HVAC units are uncovered and after Stoven has completed the building we would like to get another contractor to come in and create covers for these units. We are going to need a new garage door, currently the door we have does not accommodate the height of all our buses. As for the photovoltaic figure that is a place holder we are just starting research to see what the cost will be for this system.

Commissioner Holian asks if we are going with a private company or with our own panels. Mr. Mortillaro states we are not sure yet. This is going to require more research and then the Board will need to make the final decision. Chairman Vigil asks if we have looked at any grants to help with this issue. Ms. Trujillo states not yet. Mr. Mortillaro states we will be doing more research and that he will continue to look for grants.

Commissioner Holian states that since we can't get the tax credit on the photovoltaic that it would be more advantageous to let a private entity get the credits.

Mr. Mortillaro states the fueling facility we talked about earlier is in capital with a budget of $112,000 versus the original $50,000. This figure may still be low and we have more research to do on this project. Chairman Vigil asks how our soil issue will affect this fueling facility. Mr. Mortillaro states it will not be a problem as the tanks are above ground on a slab and on skids. Mr. Martinez states everything is self-contained with these new units. Mr. Mortillaro states this fueling facility won't solve all our problems; our buses in Taos and Santa Fe we will have to continue to use Wright Express or another organization.

Mr. Mortillaro states we received a grant from NMDOT for shelters/signs/schedules. We asked for this grant so that way we could get our schedules out there for the public. We also received a 50/50 grant for our scheduling software. We also received an 80/20 grant to purchase four new buses. We are going out to bid on these buses based on direction from the board so that way we can compare whether piggybacking off a larger contract or doing our own gives us the best cost.

Mr. Mortillaro states the building carryover will only be utilized to pay for any outstanding bills after July1. If we get the bills paid in June these funds will not be utilized and we will decrease the budget.

Mr. Mortillaro states we are going to purchase our own snow plow attachment so that we can take care of our snow removal and not have to wait on a contractor to eventually get to us.

Mr. Mortillaro states our capital request for $569,000 is grant funded this upcoming fiscal year. We did well through this round of federal funding, but we will continue to look for grants.

Commissioner Holian asks what type of fuel the new vehicles will use. Mr. Martinez states our RFP will have all three options of fuel. Flex fuel/CNG and propane. Mr. Kelly states we are going to structure the bid to be a five year option and maybe allow other entities to piggyback off our contract.

Mr. Mortillaro states that before he gets into the long range financial plan there are few additional comments. In the salary line item there is a 3% salary increase built in as a place holder. The district does not have a cost of living increase, employees are eligible for the pay increase if they meet performance standards and then they get the approved pay adjustment. If they don't meet the standards they don't get a pay increase. Our system does not allow for increases for staff that go above and beyond. After the board has their budget discussion we will know how to proceed with this line item.

Mr. Mortillaro states at this point there is no union agreement so we have not built our budget around this possibility. We need to see if the May 8 election passes or not. After May 8 he will need to meet with the Board in a closed session to see what parameters he will have the authority to negotiate within. We are not adding any new routes this budget will keep all existing routes in place. Mr. Mortillaro does state that before any money is given to Los Alamos County or City of

Santa Fe these entities will need to provide the NCRTD with a new service plan for the Board to review and to approve.

Mr. Mortillaro states in the past there have been issues with the SF County Transit Plan in that the RPA has been used for its development and approval. The RPA has not met in several months so we don't know what the RPA will decided or what the City or County will request on their routes.

Chairman Vigil asks if the NCRTD goes union what impact it will have on Santa Fe Trails or Los Alamos County. Mr. Mortillaro responds none, Santa Fe Trails is already union and Atomic City may be on their radar. We have the Teamsters that we are working with where most entities affiliate with AFSCME.

Commissioner Holian states she is not sure how the RPA is going to allocate the money. Mr. Mortillaro states there is only so much money in the pot that they can allocate.

Commissioner Holian asks how routes can be adjusted. Is it only once a year or can it be done throughout the year. Mr. Mortillaro states it can be done administratively. We can add/delete stops but we can't add new routes. Mr. Mortillaro states that if the county wants to 100% fund a new route we can look at it. Commissioner Holian asks how new routes are approved. Ms. Trujillo states we do route reviews annually. It is a time consuming duty and that she rides all the routes and evaluates them, then presents her findings to Tony and Mike.

Commissioner Holian asks what if Santa Fe County wants to spend less and add a new route. Ms. Trujillo states in the Service Plan there were $20 million of requests and we could only fund a few. There is a prioritization for those member entity supporters who asked for a route and have not gotten it. Mr. Mortillaro states we have tried to get away from budgeting by route and that is why we went to a consolidated budget. As new routes come up we need to prioritize and make a decision to present to the Board.
Mr. Mortillaro states with regard to the long range financial plan we selected the moderate option. If revenue and expenses stay where we projected, then the NCRTD looks good and we stay within the Boards reserve requirements. The Los Alamos progress thru partnering funding is a year to year request, but we added it for the next couple of years in hopes it is approved each year. If we don't get any new revenue then we can't add any new routes. We have to have the funding to sustain the routes. Mr. Mortillaro states, that as we develop the new service plan there may be more requests for new routes and the plan is going to have to be looked at from a standpoint of, "those that are needed" and "those that would be nice to have."

Mr. Mortillaro describes the diagram that explains the functions for all the NCRTD's different activities.

Commissioner Holian asks what if a county wanted to add a new route can they contract with the NCRTD as long as the County pays the bills. Mr. Mortillaro states yes, that he has had a discussion with a legislator to see if we can establish a route outside of our area. We would have to come forward to the Board for approval and we need to make sure we don't get stranded with costs.

MOTION: Commission Holian recommends the committee approve this budget for presentation to the Board. Councilor Rodgers seconds.

Voice vote – passed.

Meeting adjourned at 11:45 am.

EXECUTIVE REPORT
For May 2012

EXECUTIVE

- Met with NMDOT Officials regarding a legislators request for a Pecos to Santa Fe route.
- Met with Board Chair Barrone on various issues.
- Continued revision and creation of various NCRTD policies.
- Concluded union election. Discussing next step with Teamsters.
- Participating in defense of an appeal of the supervisor's termination of an employee.
- Completed interviews for Executive Assistant and hired Monica Sartelle.
- Created and put together materials for the Board's May meeting.
- Executive Director maintained continuous communication with board members, subcommittee members, and Chair.
- Participated in NMPTA Executive Board meeting.
- Attended Santa Fe MPO Technical Coordinating Committee meeting.
- PIO and Exec. Dir. met with Eldorado citizen regarding service and environmental sustainability.
- Attendance at various NCRTD staff and subcommittee meetings, including Board and Finance subcommittee meeting.
- Attended dedication of Taos County Administration building.
- Chairman Barrone, Scott Scanland and I met with Senator Carlos Cisneros and Representative Bobby Gonzales regarding the RTD and future needs.
- Will be attending Santa Fe County Board of Commissioners meeting on May 29 regarding service plan and RTD funding.
- Will be attending Santa Fe City Council meeting on May 30 regarding Resolution supporting RTD budget and City's transit service plan for regional services.
- Met with Harry Montoya, Executive Director of Hands across Cultures regarding support for grant application they are seeking.
- Addressed on going issues and product needs for the new Transit Center.

Service Development

- Developed April 2012 ridership report.
- Analyzed and developed vehicle occupancy figures for April.
- Worked with DW Turner for cost on redesigning brochures and design set review date for June 6, 2012.

- Rode routes for evaluations have 4 to finish up.
- Ordered 40 trash cans for location at bus shelters.
- Researched solar display shelters, pricing is approx $12K each.
- Worked on 2013 RPA route costs.
- Reviewed and analyzed the revision of schedule layout.

MARKETING/PUBLIC INFORMATION OFFICE

- Conference Call with Google Transit about developing a feature that would allow riders to access maps, routes and schedules by inputting an originating point and a destination.
- Attended a meeting in which the findings of the Regional Economic Development Initiative (REDI), Strengths and Weaknesses Target Marketing Analysis of north central New Mexico were presented, a study for which the NCRTD Executive Director participated.
- Began research and work on updating and clarifying the NCRTD Request for Public Records Policy, and completed draft for presentation to Board at June 1 meeting..
- Met with Steven Rudnick who serves on the Eldorado Sustainability Planning and Education Committee about ways to increase Eldorado resident's use of the blue bus to reduce carbon footprint.
- Participated in National Train Day on May 12 at the Alvarado Transportation Center (Rail Runner main station) in Albuquerque. It was a cooperative event that included Rail Runner, Rio Metro, Santa Fe Trails, ABQ Ride, Amtrak and Greyhound, and was attended by an estimated 12,000 people.
- Worked with Rio Grande Sun for two stories on the Union vote and its outcome.
- Worked with Los Alamos Monitor on story about delay in budget hearings.
- Prepared for the possibility of follow up stories from the Santa Fe Reporter cover story, Busted, of which there was none.
- Full page ad in Taos News Summer Guide pullout is released in May 10 papers. The glossy magazine-style guide will also be available in bins throughout the County through the Summer and into the Fall.
- A ¼ page ad appears in May issues of Green Fire Times and the Chama Valley News.
- Took out an ad to run in the Rio Arriba County Fair program which comes out in late May for Fair in early August.
- Radio spots run through the month on KSWV (Q-Suave).
- Continued cleaning up, creating content and updating NCRTD.org
- Updated NCRTD information on Santa Fe County website and Eldorado Community website.
- Submitted Chama route and schedule to run as a PSA in the June Chama Valley News.
- Wrote and issued press release, PSA and flyer for buses regarding the Memorial Day holiday suspension of service.
- Attended Taos County new building dedication.
- Updated and expanded NCRTD Fact Sheet.

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OPERATIONS

- Attended the Community Transportation Association of America (CTAA). Good breakout sessions and trainings. I attended the marketing session and managing transit like a business.
- Also there was the annual finals bus road-eo. NCRTD Driver Nick Molina took 7th in the nation in the Van competition. Nick also took the Transit Manager Class.
- Participated in discussions with Executive Director and District Attorney in preparation for Union discussions.
- Working on Transition plan to move into new facility.
- Evaluating and modifying dispatch procedures.
- Evaluating and preparing for future driver bid runs.

Customer Comment:

-----Original Message-----
From: mailservices@sks.com [mailto:mailservices@sks.com]
Sent: Thursday, May 24, 2012 5:29 PM
To: Jim Nagle
Subject: Customer Feedback

Name:
Sharon Horne

Phone:

Email:
shorne21@hotmail.com

Feedback:
I was visiting Santa Fe from NH on Mon. 5/7/12 and really wanted to visit Ojo Caliente. I have arthritis and sometimes have to use a cane. I used the RTD bus from the Indian Hospital in Santa Fe. There was a mix-up w/ the connecting bus in Espanola and I was there alone at the Park and Ride. Rebecca-a bus driver-came and told me to call Mike Kelly. I did and he wonderfully arranged a ride for me and I was able to catch the afternoon El Rito bus back to Espanola. So many thanks to Rebecca and Mike Kelly and the very nice lady who interrupted her day to take me to the springs. The memories I have of the hot baths and that day are so special to me-you just don't know. I had to leave S.F the next day. I love my visits to New Mexico. Many, many thanks and I hope no one got in trouble.
Sincerely, Sharon Horne